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Statement of
ABBEY SETH MAYER
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
HOUSE COMMITTEE ON WATER, LAND AND OCEAN RESOURCES
Friday, February 13, 2009
9:45 AM
State Capitol, Conference Room 325

in consideration of
HB 939
RELATING TO COASTAL ZONE MANAGEMENT.

Chair Ito, Vice Chair Har, and Members of the House Committee on Water, Land and Ocean Resources.

HB 939 proposes to increase the dollar threshold applied to help determine whether a proposed development should be processed for a major or minor Special Management Area (SMA) permit from \$125,000 to \$250,000.

We support the measure insofar as it increases the cost threshold given that costs have steadily risen and that adjustments to the cost criterion for the SMA permit have not kept pace. The last adjustment occurred in 1991. Another adjustment is long overdue.

From a substantive perspective, our preference is the repeal of the cost criterion. Irrespective of cost, the state and county SMA permit administrators are required to assess the probable environmental and ecological effects of developments, taking into account cumulative effects, within the framework of the objectives and policies and the SMA guidelines provided in Chapter 205A, HRS.

To effectuate the repeal, we offer the following amendments.

“Special management area minor permit” means an action by the authority

that has no substantial adverse environmental or ecological effect, taking into account potential cumulative effects.

“Special management area use permit” means an action by the authority authoring development [~~the valuation of which is not in excess of \$125,000 or which~~] that may have a substantial adverse environmental or ecological effect, taking into account potential cumulative effects.

Thank you for the opportunity to offer these comments.

Caren Diamond

February 12, 2009

Testimony in Opposition HB 939

WLO

Room: 325
Hearing Date 2/13/2009
9:45:00 AM

Aloha Committee Members,

I do not support raising the minimum from \$125,000 to \$250,000 for SMA Minor permits. Here is why, On Kauai, we have had many projects that have been put into the minor category disregarding the qualifying conditions of the Minor permits. We have many "minor" projects that have enlarged coastal structures seaward, where now the public beach is gone. This has been a reoccurring problem on our coast here, often creating new coastal hazards for the structures and occupants.

Minor permits are authorized here for projects that have major impacts, averting the public hearing process. The required notice in the OEQC, for Kauai, does not publish the TMK. And Kauai County planners now are asking our County Council to change our laws to not require a certified shoreline before permitting "minor SMA permit" requests. This would result in coastal hazards and coastal degradation. With sea level rising, erosion, and the uncertainties of developing along the coast, this is not the correct time to increase the minimum. Our coastal resources need more protection, not easier permitting.

Mahalo,
Caren Diamond

WRITTEN TESTIMONY**HB 939****RELATING TO COASTAL ZONE MANAGEMENT****HAWAIIAN TELCOM****February 12, 2009**

Chair Ito and members of the House Water, Land & Ocean Resources Committee:

Hawaiian Telcom supports the passage of HB 939, Relating to Coastal Zone Management.

The stated purpose of HB 939 is to increase the threshold for special management area minor permits.

Hawaiian Telcom's state-wide infrastructure includes substantial aerial facilities located within shoreline areas. Those aerial facilities require a variety of repair, maintenance, improvement, and upgrade work over time for reasons including public safety. Time is often of the essence in completing this important work. However, due to the quickly-rising costs of materials and labor, Hawaiian Telcom expects typical levels of work on aerial facilities to increasingly surpass the existing dollar threshold triggering the requirement of a special management area use permit. The lengthy and costly permitting process will place a direct burden onto Hawaiian Telcom's customers and its regulated customer service requirements as there will be a disruption to the company's normal expansion and maintenance of facilities.

Based on the aforementioned, Hawaiian Telcom respectfully requests this measure be approved. Thank you for the opportunity to testify.

FW: HB939

Carl Young [REDACTED]

Sent: Thursday, February 12, 2009 1:11 PM

To: WLOtestimony

To: Water Land Ocean Committee

Regarding : HB939 (Introduced by Rep. Kyle Yamashita) increasing the amount of the SMA-Minor threshold to \$250,000

Name of Company: Carl Young, Inc dba 808 Acquisitions

Title: President

District: Honolulu

Business: Real Estate and Zoning Consulting

Position: I Support HB939 & would like to recommend that this amount to be amended based on the Consumer Price Index annually or periodically ie 3 to 5 yrs.

If you have any questions, please feel free to contact me at anytime.

Thank you,

Carl Young

Site Acquisition Consultant

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MAUI CONTRACTORS ASSOCIATION

February 12, 2009

Honorable Ken Ito Chair and Committee Members
Committee on Water, Land and Ocean Resources
415 South Beretania Street
State Capitol, Room 325
Honolulu, HI 96813

Re: House Bill No. 939, Relating to Coastal Zone Management

Dear Chair Ito and Committee,

I am Jacqueline Haraguchi, Executive Director of the Maui Contractors Association. Maui Contractors Association has over 220 members and has been the voice of the Building Industry in Maui County for over 40 years.

Maui Contractors Association strongly supports HB939, increasing the threshold for minor SMA permits from \$125,000.00 to \$250,000.00. We feel this bill will contribute in streamlining the permitting process for these type of permits for businesses and county departments.

Thank you for the opportunity to provide testimony on this bill.

Sincerely,

Jacqueline Haraguchi
Executive Director

[REDACTED]

From: Matt Miura [REDACTED]
Sent: Thursday, February 12, 2009 3:53 PM
To: WLOtestimony
Subject: Bill 939 - Support

Honorable Kyle Yamashita,

My name is Matthew Miura. I work for Cascadia PM and we are small business enterprise engaged in Site Development in Hawaii. Our clients are primarily Wireless Carriers that generally build smaller sized communications sites.

I strongly support the House Bill 939 from the Water Land Ocean Committee to increase the valuation amount for projects requiring SMA permits to \$250,000. The threshold amount is presently set too low and requires developers of small projects to apply for SMA permits. This drives project costs up, increases development time and, overloads the planning department unnecessarily.

Thank you for your consideration of this Bill.

Sincerely,

Matthew K. Miura

Director, Cascadia PM
[REDACTED]
[REDACTED]