STAND. COM. REP. NO. 422

Honolulu, Hawaii

Fe-19, 2009

RE: H.B. No. 593 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Water, Land, & Ocean Resources, to which was referred H.B. No. 593 entitled:

"A BILL FOR AN ACT RELATING TO SHORELINE SETBACKS,"

begs leave to report as follows:

The purpose of this bill is to direct the Board of Land and Natural Resources to adopt rules for determining the shoreline setback area and the mauka extent of the conservation district for Kailua Beach.

The Department of Land and Natural Resources (DLNR); Beach Access Hawaii; The Free Ocean Project; the Kailua Neighborhood Board; Sierra Club, Hawaii Chapter; the Surfrider Foundation; and several concerned individuals testified in support of this bill. The Department of Business, Economic Development, & Tourism offered testimony in support of this measure with amendments. Office of Hawaiian Affairs opposed this bill.

Your Committee has amended this bill by granting DLNR a twoyear period in which to establish a two-year interim coastal construction moratorium along Kailua Beach to:

- (1) Protect development from coastal hazards;
- (2) Conserve and protect the beach;
- Preserve recreational uses; or

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(4) Minimize future impact to the coastal ecosystem.

DLNR's authority to establish the moratorium sunsets after two years. Any moratorium in effect at the sunset date, however, will remain in effect until it expires.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Ocean Resources that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 593, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 593, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on behalf of the members of the Committee on Water, Land, & Ocean Resources,

KEN ITO, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

148CB ASS

Record of Votes of the Committee on Water, Land, & Ocean Resources

Bill/Resolution No.: HB593	Committee Referral: WLO,FIN	Date	2/6/0	9
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
WLO Members	Ayes	Ayes (WR)	Nays	Excused
1. ITO, Ken (C)	V			
A HAD GIVE TO AUG)				
2. HAR, Sharon E. (VC)	V			
3. CABANILLA, Rida				
			E 1	
4. CHANG, Jerry L.				
		Property of the State of the St		
5. CHONG, Pono	V			4
6. COFFMAN, Denny				
7. HERKES, Robert N.				V
8. LEE, Chris	V			35
9. LUKE, Sylvia				
9. LUKE, Sylvia		Service Birth		
10. MORITA, Hermina M.	V			
			1000年	
11. SAGUM, Roland D., III				
14 CHING C . WI				
12. CHING, Corinne W.L.				
13. THIELEN, Cynthia				
TOTAL (13)	10			3
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				