

SB2908

RELATING TO COASTAL ZONE MANAGEMENT.

Requires counties to more strongly consider negative impacts on beaches when assessing developments within special management areas and shoreline setback variance applications and to establish guidelines for the granting of variances.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the Senate Committees on
WATER, LAND AND HOUSING
and
PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND MILITARY AFFAIRS**

**Thursday, February 23, 2012
1:20 P.M.
State Capitol, Conference Room 225**

**In consideration of
SENATE BILL 2908
RELATING TO COASTAL ZONE MANAGEMENT**

Senate Bill 2908 proposes to require the respective Counties to more strongly consider negative impacts on beaches when assessing developments within special management areas and to establish guidelines for the granting of variances. The Department of Land and Natural Resources (Department) strongly supports the intent of Senate Bill 2908, but feels that the proposed changes have not been adequately vetted through the Coastal Zone Management Program, the Department, and the respective County agencies.

Thank you for the opportunity to **comment on this** measure.



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

NEIL ABERCROMBIE
GOVERNOR
RICHARD C. LIM
DIRECTOR
MARY ALICE EVANS
DEPUTY DIRECTOR
JESSE K. SOUKI
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
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Statement of
JESSE K. SOUKI
Director, Office of Planning
Department of Business, Economic Development, and Tourism
before the
**SENATE COMMITTEE ON WATER, LAND, AND HOUSING
AND
SENATE COMMITTEE ON PUBLIC SAFETY, GOVERNMENT OPERATIONS, AND
MILITARY AFFAIRS**
Thursday, February 23, 2012
1:20 PM
State Capitol, Conference Room 225

in consideration of
SB 2908
RELATING TO COASTAL ZONE MANAGEMENT.

Chairs Dela Cruz and Espero, Vice Chairs Solomon and Kidani, and Members of the Senate Committees on Water, Land, and Housing and Public Safety, Government Operations and Military Affairs, the Office of Planning (OP) administers Hawaii Revised Statutes (HRS) Chapter 205A, the Coastal Zone Management (CZM) law. The special management area (SMA) permitting system is part of the federal and state approved Hawaii CZM Program. SB 2908 proposes various amendments to HRS Chapter 205A.

We oppose this bill for the following reasons:

1. Page 4, lines 18-21 and page 5, lines 1-2: The bill adds subsection (D) to HRS §205A-26(2). The SMA guidelines already covers beach protection set forth in HRS §205A-26(2)(B) -- "That the development is consistent with the objectives, policies, and special management area guidelines of this chapter and any guidelines enacted by the legislature." The CZM objective of "Beach Protection" requires any development within an SMA to minimize interference with natural shoreline processes, prohibit construction of private erosion-protection structures, and minimize the construction of public erosion-

protection structures. Part III of HRS Chapter 205A further specifically addresses shoreline setbacks to protect natural shoreline processes.

2. Page 6, lines 4-11: The SMA permit is not a land use policy. The SMA permit was first established in 1975 with the enactment of Act 176, known as the Shoreline Protection Act. It was enacted for special controls on developments within an area along the shoreline to avoid permanent losses of coastal resources and the foreclosure of management options. The SMA permit is a management tool to assure that uses, activities, or operations on land or in or under water within a SMA are designed and carried out in compliance with the CZM objectives and policies, and the SMA guidelines set forth in HRS Chapter 205A.
3. Page 6, lines 12-14: While sea level rise caused by climate change is recognized as an important issue in coastal management, more adequate data and academic research are needed specifically at the local level. It is still premature to require the SMA permitting to presume that one foot of sea level rise will occur by 2050, and three feet of sea level rise by 2100. Taking into account a single sea level rise scenario is very limiting and restrictive. In addition, the proposal did not indicate the baseline year for sea level rise.
4. Page 6, lines 20-22: It is not clear why the bill adds “provided that the authority may delegate special management area authority to any authority, as defined in section 205A-22, as necessary.” The amendment will cause confusion in the SMA permitting system.
5. Page 7, lines 21-22: Beach processes are complex and complicated processes that occur over time. It is inaccurate to describe beach processes as either accretion or erosion of a beach.
6. Page 8, lines 6-8: One of the triggers for HRS Chapter 343 requirements is “Any use within shoreline area as defined in section 205A-41, HRS.” The application of a shoreline variance must meet the requirements of HRS Chapter 343, which cover assessments of

alternatives. It is redundant to add a subsection that states: “Determine that alternative that would have less adverse impacts on the shoreline are not feasible.” In addition, pursuant to HRS §205A-46, no variance shall be granted unless appropriate conditions are imposed. One of these conditions shall be “to minimize risk of adverse impacts on beach processes.”

7. Page 9, lines 8-22: HRS Chapter 205A is a CZM law, which should not substitute for enforceable policies. Hardship and public interest have been defined in county shoreline setback rules adopted by the respective authority under HRS chapter 91. For example, before granting a hardship variance, the authority must determine that the applicant’s proposal is a reasonable use of the land. Because of the dynamic nature of the shoreline environment, inappropriate development may easily pose a risk to individuals or to the public's health and safety. For this reason, the determination of the reasonableness of the use of land should properly consider factors such as shoreline conditions, erosion, surf and flood conditions and the geography of the lot.

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

DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

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DEPT. WEB SITE: www.honoluluodpp.org • CITY WEB SITE: www.honolulu.gov



PETER B. CARLISLE
MAYOR

DAVID K. TANOUE
DIRECTOR

JIRO A. SUMADA
DEPUTY DIRECTOR

February 23, 2012

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Committee on Water, Land, and Housing
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Government Operations, and Military Affairs
State Senate
State Capital
Honolulu, Hawaii 96813

Dear Chairs Dela Cruz, Espero and Members:

Subject: Senate Bill No. 2908
Relating to Coastal Zone Management

The Department of Planning and Permitting **opposes Senate Bill No. 2908**, which makes several amendments to Chapter 205A, Hawaii Revised Statutes (HRS).

This bill purports to "enhance the efficacy of coastal zone management (CZM) programs in successfully managing shorelines under erosion risk and to maintain or enhance the resilience of coastal ecosystems and communities." However, we believe that the various proposed amendments contained in this bill will actually make the regulation of shorelines and shoreline areas more difficult and confusing.

On page 4, a new paragraph (D) is added to Section 205A-26(a)(2), HRS, stating that no development shall be approved unless it will not interfere with the natural course of the beach. Existing law already mandates this. Indeed, a shoreline setback variance is necessary precisely for those developments where a structure may interfere with the natural processes of the ocean. Further, we do not understand why this paragraph (D) is being added to this section, which enumerates guidelines for the Special Management Area (SMA), when those policies having a direct relevance to the regulation of development in shoreline areas are enumerated in Part III of Chapter 205A, HRS ("Shoreline Setbacks").

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Committee on Water, Land, and Housing
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Government Operations, and Military Affairs
State Senate
Re: Senate Bill No. 2908
February 23, 2012
Page 2

On page 6, the bill proposes adding new subsections (b) and (c) to Section 205A-26, HRS; i.e., essentially adding new "guidelines" for the regulation of the SMA. We believe that the proposed subsection (b) will require the commitment of substantial resources by the counties to achieve what appears to be a mandate to reestablish the SMA boundaries in each jurisdiction. If this is not the intent of the new subdivision (b), then why is it even being suggested, since the call to "identify, categorize, and prioritize zones within" the SMA has already been accomplished by each county? The SMA boundaries on Oahu have been established for decades now. And, the SMA already exists precisely to identify, maintain and protect habitats, ecosystems, and other important coastal resources. Therefore, if it is not a mandate to reestablish SMA boundaries within each of the jurisdictions, then the addition of the proposed subsection (b) is essentially repetitive and unnecessary.

The proposal to add a subsection (c) to Section 205A-26, HRS, adds a mandate regarding sea level rise which we believe is premature.

On page 6, Section 205A-27 is amended to allow the "delegation" of SMA authority to another authority. We have absolutely no idea what the meaning or intent of this provision is or why it would be either relevant or desirable, since SMA authority resides with each county.

On pages 7-10 are comprehensive proposed amendments to Section 205A-46, HRS, dealing with shoreline setback variances. Essentially, we find that these proposed amendments are repetitive and/or emphasize existing policies; thus, they are unnecessary and confusing. We are particularly concerned about the proposed amendments to subsection (b), which deals with hardship criteria for the granting of a shoreline setback variance. Whenever amendments of this sort are made, it can significantly alter decades of decision making and legal precedent.

Our fundamental concern with SB 2908 is that we fail to understand or appreciate what it is precisely attempting to change or correct. It professes to merely "enhance" existing CZM policies, but by altering longstanding policies without a clear message or reason it simply confuses, instead. The county authorities meet on a quarterly basis with the Office of Planning to discuss and coordinate CZM policies and practices. We participate in these discussions and are unaware of any authority requesting or advocating the amendments contained in this bill. Therefore, we are both

The Honorable Donovan M. Dela Cruz, Chair
and Members of the Committee on Water, Land, and Housing
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Government Operations, and Military Affairs

State Senate

Re: Senate Bill No. 2908

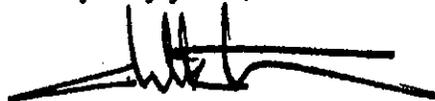
February 23, 2012

Page 3

puzzled and concerned regarding its origin. If there are clear problems or shortcomings with existing CZM policies, practices and procedures, then these should be specifically identified, discussed and the various authorities consulted to determine a preferred course of action. SB 2908 does not represent that kind of consensus and should be tabled.

Thank you for the opportunity to testify in opposition to this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read 'DKT', with a long horizontal line extending to the right.

David K. Tanoue, Director
Department of Planning and Permitting

DKT:jmf

sb2908-CZM-jp.doc



**Testimony to the Senate Committees on Water, Land and Housing, and Public Safety,
Government Operations, and Military Affairs
Thursday, February 23, 2012
1:20 p.m.
State Capitol - Conference Room 225**

RE: SENATE BILL NO. 2908 RELATING TO COASTAL ZONE MANAGEMENT

Chairs Dela Cruz and Espero and Vice Chairs Solomon and Kidani, and members of the committees:

My name is Gladys Marrone, Director of Government Relations for the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii.

BIA-HAWAII **opposes** S.B. No. 2908. The bill proposes to enhance the efficacy of coastal zone management programs in successfully managing shorelines under erosion risk and to maintain or enhance the resilience of coastal ecosystems and communities.

As drafted, the bill proposes to amend Chapter 205A, HRS, by requiring the counties to more strongly consider negative impacts on beaches when assessing developments within special management areas and shoreline setback variance applications and to establish guidelines for the granting of variances.

The underlying presumption in the bill is that a development will not interfere with the natural course of the beach, including further accretion or erosion in the case of development that includes the construction of any structure, retaining wall, or other object to prevent or mitigate coastal erosion of private property. It also presumes that a one foot of sea level rise will occur by 2050, and three feet of sea level rise will occur by 2100.

We understand that the bill is attempting to address appropriate developments along the shoreline recognizing the realities of sea level rise. We believe that there needs to be more discussion on how to address existing and proposed developments in Hawaii given the fact that we are an island State and preparing for sea level rise.

Perhaps the focus should be on how to address existing and proposed developments in coastal areas with implantation being dependent on the rate at which sea level rise is occurring. There needs to be some analysis of the economic impact of protecting or relocating existing developments that may be impacted by sea level rise.

Senators Dela Cruz and Espero, Chairs
Water, Land, Housing & Public Safety, Government Operations, and Military Affairs
February 23, 2012
SB 2908
BIA-Hawaii testimony

BIA-Hawaii believes that this type of analysis is the first step the State needs to take in order to develop plans for the anticipated impacts of sea level rise.

Thank you for this opportunity to express our views.



**Testimony to the Senate Committees on Water, Land and Housing, and Public
Safety, Government Operations, and Military Affairs
Thursday, February 23, 2012
1:20 p.m.
State Capitol - Conference Room 225**

RE: SENATE BILL NO. 2908 RELATING TO COASTAL ZONE MANAGEMENT

Chairs Dela Cruz and Espero and Vice Chairs Solomon and Kidani, and members of the committees:

While The Chamber of Commerce of Hawaii understands the intent, **we do not support S.B. No. 2908 in its current form.**

The Chamber is the largest business organization in Hawaii, representing more than 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the “Voice of Business” in Hawaii, the organization works on behalf of its members, which employ more than 200,000 individuals, to improve the state’s economic climate and to foster positive action on issues of common concern.

As drafted, the bill proposes to amend Chapter 205A, HRS by requiring the counties to more strongly consider negative impacts on beaches when assessing developments within special management areas and shoreline setback variance applications and to establish guidelines for the granting of variances.

The underlying presumption in the bill is that a development will not interfere with the natural course of the beach, including further accretion or erosion in the case of development that includes the construction of any structure, retaining wall, or other object to prevent or mitigate coastal erosion of private property. It also presumes that a one foot of sea level rise will occur by 2050, and three feet of sea level rise will occur by 2100.

We understand that the bill is attempting to address appropriate developments along the shoreline recognizing the realities of sea level rise. We believe that there needs to be more discussion of how to address existing and proposed developments in Hawaii given that fact that we are an island State and preparing for sea level rise.



SB 2908
RELATING TO COASTAL ZONE MANAGEMENT
Senate Committee on Water, Land, and Housing
Senate Committee on Public Safety, Government Operations, and Military Affairs

February 23, 2012

1:20 p.m.

Room 225

The Office of Hawaiian Affairs (OHA) **SUPPORTS SB 2908**, which requires coastal erosion and sea level rise to be considered as a part of planning and development within the shoreline management areas (SMA).

OHA applauds the effort of the Legislature to introduce development-induced beach accretion and erosion as a specific consideration in Hawaii Revised Statutes, Chapter 205A, Part II. Such considerations are necessary to protect lateral beach access for OHA beneficiaries and the public at-large, as well as to protect coastal marine environments. As a reviewing agency, OHA also appreciates the inclusion of a rulemaking process for the issuance of variances within the SMA.

Therefore, OHA urges the committee to PASS SB 2908. Mahalo for the opportunity to testify on this measure.

The Pacific Resource
PARTNERSHIP



Testimony of C. Mike Kido
External Affairs
The Pacific Resource Partnership

Senate Committee on Water, Land, and Housing
Senator Donovan M. Dela Cruz, Chair
Senator Malama Solomon, Vice Chair

Senate Committee on Public Safety, Government Operations, and Military Affairs
Senator Will Espero, Chair
Senator Michelle N. Kidani, Vice Chair

SB 2908 – Relating to Coastal Zone Management
Thursday, February 23, 2012
1:20 pm
Conference Room 225

Aloha Chair Dela Cruz, Chair Espero, Vice Chair Solomon, Vice Chair Kidani and Members of the Committees:

My name is C. Mike Kido, External Affairs of the Pacific Resource Partnership (PRP), a labor-management consortium representing over 240 signatory contractors and the Hawaii Regional Council of Carpenters (formerly the Hawaii Carpenters Union).

PRP opposes SB 2908 Relating to Coastal Zone Management which will require counties to more strongly consider negative impacts on beaches when assessing developments within special management areas and shoreline setback variance applications and to establish guidelines for the granting of variances.

PRP understands that the bill is attempting to address appropriate developments along the shoreline, however, we believe more discussion is needed on how to address existing and proposed developments in Hawaii given the fact that we are an island State and preparing for alteration of shoreline environments.

Thank you for the opportunity to share our views with you and we respectfully ask for your committees to hold on to SB 2908.



From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 19, 2012 2:41 PM
To: WLH Testimony
Cc: MolokaiMAN@basicisp.net
Subject: Testimony for SB2908 on 2/23/2012 1:20:00 PM
Attachments: beach Kailua2011.JPG

Testimony for WLH/PGM 2/23/2012 1:20:00 PM SB2908

Conference room: 225
Testifier position: Oppose
Testifier will be present: No
Submitted by: George Peabody
Organization: MolokaiAdvertiserNews.com
E-mail: MolokaiMAN@basicisp.net
Submitted on: 2/19/2012

Comments:

This legislation SB2908 must be stopped and viewed as an unConstitutional ultra vires attack on private property rights and the practices and principles of successful Coastal Engineering methods to shoreline protection by Chip Fletcher UH and DLNR Sam Lemmo et al who are NOT qualified as Coastal Engineers as proven by their failed projects and policies and the harm they have caused to the public and private landowners. see attached photo of KAILUA BEACH Sand Grabbers Removal after 25 years 8-8-2011; see current Waikiki Beach scam, see Mahaka Beach result of failure to do nothing to stop erosion; see Kahahaia Beach Park on Molokai again failure to do nothing to stop erosion is loss of natural resources to public and private lands. This legislation repeatedly emphasizes that any shoreline protection efforts that is intended to "mitigate coastal erosion of private property" is prohibited, and exemptions are many provided the structure "will not artificially fix the shoreline"; "affect beach processes, including further accretion or erosion of a beach, nor artificially fix the shoreline" . This legislation does nothing to further State and private interests in protecting and preserving natural resources of shoreline beaches, but does the opposite by preventing every effort to use Coastal Engineering practices to protect our shorelines and beaches from erosion including the judicial use of seawalls, jetties, sand replenishment, etc. by public and private entities not overburdening us with prohibitions and penalties for doing what the DLNR is supposed to do, i.e., protect our Natural Resources.

The failed ideas of Chip Fletcher UH and Sam Lemmo DLNR as seen in the Kailua photo and other projects, did not stop or mitigate beach erosion because their experiments are NOT supported by Coastal Engineering laws and principals and practices. They have used fraudulent manipulated data from UH beach games to create State policies that prevent effective shoreline protection from erosion and sand loss on public beaches like Kailua. Their prohibitions on shoreline armor also violate Coastal Engineering methods that prove seawalls do NOT cause erosion. Furthermore, DLNR/Lemmo/Fletcher UH seawall prohibitions violate private property rights of people like me who need to protect their homes from erosion in exigent circumstances.

DLNR and Sam Lemmo/Chip Fletcher and State cite statutes which they have distorted, misrepresented and stretched to fit virtually any meme they desired. And though the State has miss-used its powers often to do just that, facts continue to get in the way, e.g., SEAWALLS DO NOT CAUSE EROSION, and the shorelines with growing beaches that ARE armored are proof that seawalls do NOT CAUSE erosion. Erosion is a Coastal Engineering problem, not something for state fascists to do.

 “exigent circumstances” According to Black’s Law Dictionary it is “A situation that demands unusual or immediate action and that may allow people to circumvent usual procedures.” But a vindictive DLNR et al do not care about private property rights, shoreline protection done right, because the only care about keeping themselves in power and punishing those competent individuals who succeed in shoreline protection efforts without their involvement.

The State's DLNR/AG Sam Lemmo/Chip Fletcher et al's intransigence vis-à-vis George and Susan Peabody's actions that saved the public beach and his home at Waialua, Molokai, is manifest in their current lawsuit against us because they objected to my saving the beach and my home from destruction in 1998 fourteen years ago and are suing me now Civ#10-1-753[3] vindictively vexatiously and without jurisdiction. It is all about saving my home and the public beach [the stated mission of DLNR to save and preserve natural resources] without first obtaining a permit from these fascist stooges to do so, a permit the State is on record saying they never would have issued if I had applied for it because they prohibit shoreline fixing even if it stops erosion to private lands and stops erosion to public beaches, and does not interfere with public access. These racketeers want to take private property and enhance their powers flex their muscle, not protect Natural Resources.

There are a lot of cases in law, res judicata pau already, that give more good reasons why this legislation should be stopped, and the whole perspective of DLNR and State of Hawaii re examined and a new paradigime shift a fundamental change in approach or underlying assumptions about shoreline protections adopted using Coastal Engineering best practices instead of FletcherUH/LemmoDLNR's philosophy of beach voodoo. Here are a couple examples:

1 NOLLAN v. CALIFORNIA COASTAL COMM'N, 483 U.S. 825 (1987)

The Nollan Case is used in reference with other cases that lend credence to rights of private property owners to protect their property from destruction by natural forces, government and/or public intrusions.

2 "Such public access would deprive petitioner of the right to exclude others, "one of the most essential sticks in the bundle of rights that are commonly characterized as property." KAISER AETNA v. UNITED STATES, 444 U.S. 164 (1979)

So, please stop this legislation immediately, and restore controls on bureaucrats and racketeers acting under color of law violating the rights of Citizens and undermining the mission of DLNR .

Read more: <http://www.MolokaiAdvertiserNews.com> weekly and archives.





From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 21, 2012 5:56 PM
To: WLH Testimony
Cc: Thorneabbott@yahoo.com
Subject: Testimony for SB2908 on 2/23/2012 1:20:00 PM

Testimony for WLH/PGM 2/23/2012 1:20:00 PM **SB2908**

Conference room: 225
Testifier position: **Support**
Testifier will be present: No
Submitted by: Thorne Abbott
Organization: **Individual**
E-mail: Thorneabbott@yahoo.com
Submitted on: 2/21/2012

Comments:

I strongly support the intent of the bill. Prudent planning to conserve beaches and allow them to act naturally preserves beach width even in the face of sea level rise. Conserving sand resources will ensure these 'gold' assets are marketable and usable for recreation and enjoyment for years to come. A healthy accessible beach benefits tourism, residents, and helps oceanfront landowners retain higher property values than those locations that have lost their beach. Requiring analysis of alternatives helps the landowner understand the pros and cons of different options and informs decision makers of the likely outcome of a proposed action. Failing to plan along the ocean has often resulted in unforeseen and costly outcomes. Planning for the future is wise, saves time and money, and capitalizes on the interest gained from natural resources. SB2908 offers prudent planning and should be approved. Mahalo for your consideration!
Thorne Abbott



From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2012 8:35 AM
To: WLH Testimony
Cc: mjellings@hawaii.rr.com
Subject: Testimony for SB2908 on 2/23/2012 1:20:00 PM

Testimony for WLH/PGM 2/23/2012 1:20:00 PM SB2908

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Carl P Jellings Sr
Organization: Individual
E-mail: mjellings@hawaii.rr.com
Submitted on: 2/22/2012

Comments:

Honorable Senate Chairs and Members WLH/PGM

in Support

Carl P Jellings SR

~~Dane Wicks~~

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 22, 2012 5:38 PM
To: WLH Testimony
Cc: nanimcp7684@gmail.com
Subject: Testimony for SB2908 on 2/23/2012 1:20:00 PM

Testimony for WLH/PGM 2/23/2012 1:20:00 PM SB2908

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Nancy McPherson
Organization: Individual
E-mail: nanimcp7684@gmail.com
Submitted on: 2/22/2012

Comments:

I strongly support the purpose and intent of this bill. A healthy accessible beach benefits tourism, residents, and helps oceanfront landowners retain higher property values than those locations that have lost their beach. Requiring analysis of alternatives helps the landowner understand the pros and cons of different options and informs decision makers of the likely outcome of a proposed action. Failing to plan along the ocean has often resulted in unforeseen and costly outcomes. Prudent planning to conserve beaches and allow them to act naturally preserves beach width even in the face of sea level rise. Conserving sand resources will ensure these natural assets are marketable and usable for recreation and enjoyment for years to come. Planning for the future is wise, saves time and money, and capitalizes on the interest gained from natural resources. SB2908 requires that jurisdictions exercise prudent planning and should be approved. Mahalo for your consideration!

From: George Simons [george.a.simons@gmail.com]
Sent: Wednesday, February 22, 2012 6:20 PM
To: WLH Testimony
Subject: Testimony for SB 2908

Aloha,

I am George Simons, and I care to testify in favor of the bill.

I'm in. The bill presented encourages wise developing in a sustainable fashion and is not obstructionary to development.

The fact that "current conservative estimates indicate that up to forty per cent of Oahu's shoreline is ... armored" hurts me. And the fear that the eight kilometers of beach loss in Maui may occur or even be worse here disturbs me.

I can't say that I am an expert on the subject, I can't say that I am a local Hawaiian or that I have a trace of Hawaiian in my blood. I can't say that I know all there is to know on this topic or on this region.

I am in an intern from Washington state, here for a brief time.

But I can say that I believe this bill to be a step in the right direction. I can say that as an outsider, this is pleasing. I can say that there are certain universal principles that may be applied everywhere. I can say that yesterday I passed through down here and I ran into a former city councilman who is passionate about preserving sandalwood in Hawaii. I can say that I spoke with a lobbyist who desired to reconnect the people of this island with their cultural roots to promote their welfare.

I can say that there is a trend, amongst native Hawaiians and non-natives alike, to protect Hawaiian lands and to promote responsible building and sustainability.

I am a religious man, for me all things are one. The good Lord commanded us to build our house upon the rock. The foolish man builds his house upon the sand and when the rains pour and the floods rise, that house is washed away. The wise man builds his house upon the rock. And when the tempest comes, there it stands still.

Let us not be caught up in the whims of short term exploitation. Let us not sell precious Hawaiian lands for services which will not satisfy or for practices which will not sustain.

A few days ago, I perused the pages of a travel book. I came to a section on Oahu. It described lavish hotels and fine restaurants serving French cuisine, and 5 star resorts and golf clubs. I thought to myself, this is not the Hawaii that I know. I've come here twice, once on vacation, and now for an internship. I've spent minimal time in Honolulu. I much prefer the unpolluted beaches of the windward side and north shore. I usually only come down town to make camping reservations.

This bill will promote more sustainable building code, helping us to remember that we cannot control nature. Nature will inevitably knock down our pride, as the example of Katrina demonstrates. As we build responsibly, taking into account the possibilities of disaster and the repercussions of our actions, we better mitigate disaster, and will innovate in ways that we had never before imagined.

Let us construct buildings with respect for the environment and for the future, and we will reap the benefits both now and well into the succeeding generations.

Mahalo

--

George Simons