

SB

501

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: amel.s.chun@hawaii.gov
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Thursday, February 12, 2015 8:49:13 AM
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SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carty S. Chang	DLNR	Support	Yes

Comments:

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DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
CARTY S. CHANG
Interim Chairperson**

**Before the Senate Committees on
WATER AND LAND
and
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS**

**Friday, February 13, 2015
3:15 pm
State Capitol, Conference Room 224**

**In consideration of
SENATE BILL 501
RELATING TO COASTAL ZONE MANAGEMENT**

Senate Bill 501 proposes to amend Section 205A-2, Hawaii Revised Statutes (HRS), *Coastal Zone Management Program; Objectives and Policies*, to require new development to plan for the impacts of projected sea level rise, transition to long-term annual shoreline erosion based setback by 1/1/2018 for counties with erosion rate data, require the minimum setback to be sixty feet from the shoreline for new development, and includes general housekeeping measures to update language of the statute. **The Department of Land and Natural Resources (Department) supports Senate Bill 501 in its present form.**

The Department is engaged in a wide range of management and conservation efforts in the coastal zone. These efforts include managing and conserving public beach and coastal resources throughout the State through the Department's Office of Conservation and Coastal Lands (OCCL), managing the State's marine resources and protecting aquatic habitat and reefs through the Department's Division of Aquatic Resources (DAR), and managing ocean recreation through the Department's Division of Boating and Ocean Recreation (DOBOR).

As an island state, land use and development in Hawaii is concentrated on our low-lying coastal plains. In many communities the densest development is right up against the shoreline. This pattern of coastal development is resulting in major impacts to our public beaches and marine resources and increasing community exposure to hazards of beach erosion and coastal flooding.

The science is clear that rates of sea-level rise will increase in the coming decades. This will result in increasing severity and frequency of coastal erosion and flooding events. Moving new

CARTY S. CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

DANIEL S. QUINN
INTERIM FIRST DEPUTY

W. ROY HARDY
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

development back from the shoreline by requiring increased setbacks and planning for sea-level rise is vital, given the present risk of coastal hazards and scientific consensus that these hazards will worsen in coming decades.

The Department and the Office of Planning (OP) are presently engaged in climate change and sea level rise planning for the State as directed by the *Hawaii Climate Adaptation Initiative Act* (Act 83, 2014, codified as HRS Chapter 225P). Act 83 establishes an *Interagency Climate Adaptation Committee* (within the Department, co-chaired by the Department and OP), which will initially focus on developing a *Sea Level Rise Vulnerability and Adaptation Report* (due December, 2017). The Report will help drive implementation of Objectives and Policies in Section 205A-2, HRS, including the proposed amendments requiring new development to plan for the impacts of projected sea level rise.

The Department notes that a minimum 60 foot setback and updated erosion rate based setback policy for new development was successfully adopted by Kauai County in 2014 (County of Kauai Ordinance 979). Erosion rate based setbacks are also required by Maui County (Shoreline Rules for the Maui Planning Commission §12-203) as well as in State Conservation District lands (Chapter 13-5 HAR). An increased minimum shoreline setbacks of 60 feet and adopting erosion rate based setbacks statewide will provide improved “buffer space” between new development and highly dynamic beach environments, reducing exposure to coastal hazards and improving the State’s ability to protect beaches and coastal environments.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
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Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/11/2015

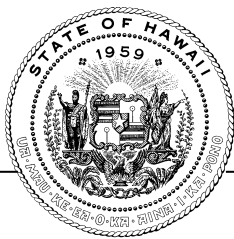
Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Teri Hee	Office of Planning	Comments Only	Yes

Comments: Please see attached Testimony file.

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LEO R. ASUNCION
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Statement of
LEO R. ASUNCION
Acting Director, Office of Planning
before the
**SENATE COMMITTEE ON WATER AND LAND
AND
SENATE COMMITTEE ON PUBLIC SAFETY, INTRGOVERNMENTAL AND
MILITARY AFFAIRS**

Friday, February 13, 2015
3:15 PM
State Capitol, Conference Room 224

in consideration of
SB 501
RELATING TO COASTAL ZONE MANAGEMENT.

Chairs Thielen and Espero, Vice Chairs Baker and Galuteria, and Members of the Senate Committees on Water and Land and Public Safety, Intergovernmental and Military Affairs.

The Office of Planning (OP) administers Hawaii Revised Statutes (HRS) Chapter 205A, the Coastal Zone Management (CZM) law. The purpose of Hawaii CZM Act is to “provide for the effective management, beneficial use, protection, and development of the coastal zone.” See L. 1977, c 188, § 1.

SB 501 requires new development to plan for the impacts of projected sea level rise, prohibits development in areas significantly affected by projected sea level rise, and proposes various amendments to HRS Chapter 205A.

OP supports the intent of SB 501, and respectfully offers the following comments on this measure:

1. Pages 3, 8, 9 and 10 of SB 501 make various amendments pertaining to coastal hazards. We recommend adding the definition of “coastal hazards” to HRS § 205A-1 Definitions to read as follows:

“Coastal hazards” include tsunamis, hurricanes, wind, storm waves, flooding, erosion, impacts related to projected sea level rise, subsidence, and point and nonpoint source pollution.

The proposed definition of “coastal hazards” ensures that the term is used consistently, and avoids the redundant use of a list of coastal hazards throughout Chapter 205A.

2. Page 3, lines 12-14, amends § 205A-2(b)(9) by adding “coastal dunes,” “environmental services” and “natural barriers to the coastal hazards” to the objective of beach protection. Protecting coastal dunes for public use and recreation, rather than as sensitive and vital coastal ecosystems, is an inappropriate objective. We recommend amending HRS § 205A-2(b)(4)(A) to protect “coastal dunes”, as follows:

(A) Protect valuable coastal ecosystem, including coral reefs and coastal dunes, from disruption and minimize adverse impacts on all coastal ecosystems.

3. Page 4, lines 9-17: We support the term “restoration” to replace “replacement” in HRS § 205A-2(c)(1)(B). The connotation of “restoration” in dealing with coastal resources is meaningful and appropriate. We do not object to the addition of “coral reefs” as an example of coastal resources, although the existing objective and policy on coastal ecosystems already include “reefs” as a factor in preserving coastal ecosystems.
4. Page 8, lines 15-17: The amendment adds “transportation infrastructure, residential and commercial development” as coastal related development. Adding this specific example list may result in misunderstanding that residential and commercial development are coastal related although they are not always so.
5. Page 10, lines 7-11: We agree with the housekeeping change to use the term “National Flood Insurance Program” to replace “Federal Flood Insurance Program.”

The addition of “Avoid grading of and damage to coastal dunes” to the subsection of policies for coastal hazards, HRS § 205A-2(c)(6) appears to be misplaced. We suggest adding language to protect “coastal dunes” by amending the policies of “Coastal ecosystems” HRS § 205A-2(c)(4)(C), as follows:

(C) Preserve valuable coastal ecosystems, including coral reefs and coastal dunes, of significant biological or economic importance;

6. Page 14, line 18: We agree with the amendment to delete “demolition” from HRS § 205A-22. This amendment will avoid confusion of whether “demolition” is considered a “development” or “not development” in the special management area. Demolitions will still require building permits which minimize the adverse environmental and ecological impacts of activities and are obligated to comply with the CZM statute.
7. Page 17, lines 4-9: we support the amendment to require the subdivision of a parcel of land to take into account impacts of projected sea level rise on future development on the resulting parcels.
8. Page 18, lines 9-15: We agree with housekeeping amendments.

9. Page 20, line 6: We do not object to replacing the term "substantial" with "significant." We note that "significant effect" is defined in HRS Chapter 343.
10. Page 21, lines 4-7: The proposed amendment is not consistent with the intent of HRS Chapter 205A and redundant to the requirements of HRS § 205A-26(2)(B) and (C). The SMA permit does not determine land uses, but regulates permissible land uses that are already allowed by land use policies including zoning designations, development plans and county general plans. Even under the effect of projected sea level rise, a development may be still allowed if such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interests pursuant to HRS § 205A-26(2)(A).
11. Page 22, lines 14-17: We agree with the housekeeping amendment that adds the definition of "Department."
12. Page 23, lines 1-11: We encourage the use of annual shoreline change rates in determining shoreline setbacks. This approach should better protect beach processes and reduce the threat from coastal hazards. Given the existing minimum shoreline setbacks, we suggest to amend HRS § 205A-43(a) as follows:

(a) Setbacks along the shorelines are established of not less than twenty feet ~~and not more than forty feet~~ inland from the shoreline. No later than January 1, 2018, in the area where shoreline erosion rate data is available, shoreline setbacks shall be established using a method including but not limited to not less than fifty years annual shoreline erosion rate and shall be at least sixty feet inland from the shoreline.
13. Page 24, lines 4-7: The meaning of "any exemption or waiver to the shoreline setback line by a county or the State" is not clear. Within the shoreline area, as defined in HRS § 205A-41, except for permitted structures under § 205A-44, or structures with a shoreline setback variance, there is no concept of exemption or waiver of a shoreline setback line pursuant to Part III of Chapter 205A. In addition, the intent of the proposed amendment is redundant to HRS § 205A-46 Variance.
14. Page 25, lines 5-6, we do not object to the proposed amendment to minimize adverse environmental or ecological impacts to coastal ecosystems and marine resources, which are consistent with the CZM objectives and policies defined in HRS § 205A-2.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: clum@honolulu.gov
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Curtis Lum	Department of Planning and Permitting	Support	No

Comments: The Department of Planning and Permitting supports the intent of SB501 with suggested amendments.

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DEPARTMENT OF PLANNING AND PERMITTING
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KIRK CALDWELL
MAYOR



GEORGE I. ATTA, FAICP
DIRECTOR

ARTHUR D. CHALLACOMBE
DEPUTY DIRECTOR

February 13, 2015

The Honorable Laura H. Thielen, Chair
and Members of the Committee on Water and Land
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Intergovernmental and Military Affairs
Hawaii State Senate
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairs Thielen, Espero, and Members:

Subject: Senate Bill No. 501
Relating to Coastal Zone Management

The Department of Planning and Permitting (DPP) **supports the intent of Senate Bill No. 501 with amendments**. We agree with the intent to require consideration of the impacts of sea level rise (SLR) on development in the Special Management Area (SMA) and Shoreline Setback Area, but request amendments to clarify and better express that intent.

We do not support the establishment of a requirement for the counties to establish shoreline setbacks based on historical erosion data with a minimum 60 feet shoreline setback for new development. This would create numerous non-conformities along the shoreline if the City were required to use the erosion data.

The Bill does not define either the characteristics of the data set to be used by each county, or the methods to be used in its application to establishing the shoreline setback. Lacking this, implementation will likely be unpredictable and may fail to achieve the desired result. Each county has the authority, wisely granted by the State, to establish the shoreline setback line as each sees fit within certain parameters. While different counties share similar shoreline conditions, the physical characteristics and development history differ from county to county. With decades of experience, the method for determining shoreline setbacks is best left to each county.

Most of the changes proposed in Senate Bill No. 501 are aimed at addressing coastal hazards, including the potential impacts of SLR on projects within the SMA.

The Honorable Laura H. Thielen, Chair
and Members of the Committee on Water and Land
The Honorable Will Espero, Chair
and Members of the Committee on Public Safety,
Intergovernmental and Military Affairs
Hawaii State Senate
Hawaii State Capitol
RE: Senate Bill No. 501
February 13, 2015
Page 2

As proposed in Senate Bill No. 501, the amendment to the Coastal Zone Management Program Policy (6) Coastal hazards (B) would "minimize development" in almost every area on Oahu since there are few areas that could be said to be completely free from the threat of hurricanes, wind, flooding, erosion, etc.

We ask that this section on Coastal Hazards be amended to read:

"Minimize vulnerability and improve resiliency for development in areas subject to tsunami, hurricanes, wind, storm waves, flooding, erosion, impacts related to projected sea level rise, subsidence, and point and nonpoint source pollution hazards."

We do not want to minimize development island-wide, but we do want to minimize our exposure to hazards and improve our ability to recover from the rare extreme event.

A similar problem exists with the language proposed in Section 4 of the Bill regarding the SMA guidelines for approval of developments.

A strict reading of the amendment would require a retreat from the shoreline by prohibiting any development in shoreline and low-lying coastal areas less than two feet above sea level. In some cases, retreat may be the most reasonable action to take, but in other cases, such as Waikiki, downtown Honolulu, or the International Airport, it is likely that protection and/or adaptation may be more reasonable responses to a projected increase based on the high value of the investments made in those areas.

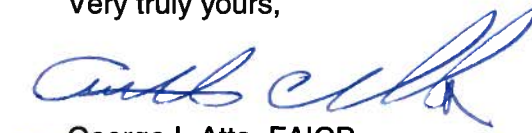
Please amend the proposed change to the SMA guidelines regarding findings needed to approve developments affected by impacts of sea level rise as follows:

"Adequate mitigation, including adaptive, protective, design and operational measures, be required of development located in areas of SLR to reasonably reduce vulnerability and improve resiliency to projected impacts."

In summary, we support the intent of Senate Bill No. 501 and ask that our proposed amendments be incorporated into the Bill.

Thank you for this opportunity to comment.

Very truly yours,



George I. Atta, FAICP
Director

GIA:ask

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: jlee@cochawaii.org
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Sherry Menor-McNamara	Chamber of Commerce Hawaii	Oppose	No

Comments:

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Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the Senate Committee on Water and Land and Committee on
Public Safety, Intergovernmental and Military Affairs
Friday, February 13, 2015 at 3:15 P.M.
Conference Room 224, State Capitol**

RE: SENATE BILL 501 RELATING TO COASTAL ZONE MANAGEMENT

Chairs Thielen and Espero, Vice Chairs Galuteria and Baker, and Members of the Committees:

The Chamber of Commerce of Hawaii ("The Chamber") **opposes** SB 501, which requires new development to plan for the impacts of projected sea level rise and prohibits development in areas significantly affected by projected sea level rise. Also transitions to long-term annual shoreline erosion based setback by 1/1/2018 for counties with erosion rate data and requires the setback to be sixty feet from the shoreline for a new development.

The Chamber is the largest business organization in Hawaii, representing over 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 members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

As an Island State, we are all concerned about the impacts that sea level rise will have on our coastal communities statewide. As such, we believe that it would be more appropriate to have the legislature fund an effort to have a study done of how sea level rise or fall will impact coastal communities, and develop guidelines to mitigate impacts of sea level rise/fall on all future projects in coastal communities. Similar to zoning, the Office of Planning or Coastal Zone Management program could develop a GIS overlay or map which identifies areas where projects may be "significantly affected" by projected sea level rise. The entity overseeing this effort would also need to define "significantly affected."

Funding the research and developing the guidelines would provide more certainty on exactly how developments in coastal communities should be handled in the future.

Thank you for the opportunity to express our views on this matter.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: carl.campagna@kamakagreen.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Wednesday, February 11, 2015 10:07:24 AM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Campagna	Environmental Caucus of the Democratic Party of Hawaii	Support	No

Comments:

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Cc: carl.campagna@kamakagreen.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
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SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carl Campagna	Individual	Support	No

Comments:

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Cc: gqm@biahawaii.org
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Gladys Quinto Marrone	BIA Hawaii	Oppose	No

Comments:

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BIA-HAWAII

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Testimony to the Senate Committees on Water and Land, and Public Safety, Intergovernmental, and Military Affairs

Friday, February 13, 2015

3:15 p.m.

State Capitol - Conference Room 224

RE: SENATE BILL NO. 501 RELATING TO COASTAL ZONE MANAGEMENT

Chairs Thielen and Espero, Vice Chairs Galuteria and Baker, and members of the Committees:

My name is Gladys Marrone, Chief Executive Officer for the Building Industry Association of Hawaii (BIA-Hawaii), the Voice of the Construction Industry. We promote our members through advocacy and education, and provide community outreach programs to enhance the quality of life for the people of Hawaii. BIA-Hawaii is a not-for-profit professional trade organization chartered in 1955, and affiliated with the National Association of Home Builders.

BIA-HAWAII is **opposed** to S.B. 501, which will require new development to plan for the impacts of projected sea level rise and prohibits development in areas significantly affected by projected sea level rise. Transitions to long-term annual shoreline erosion based setback by for counties with erosion rate data and requires the setback to be sixty feet from the shoreline for a new development.

As an Island State we are all concerned about the impacts that sea level rise will have on our coastal communities statewide. As such we believe that it would be more appropriate to have the legislature fund an effort to have a study done of how sea level rise or fall will impact coastal communities, and develop guidelines to mitigate impacts of sea level rise/fall on all future projects in coastal communities. Similar to zoning, the Office of Planning or Coastal Zone Management program could develop a GIS overlay or map which identifies areas where projects may be "significantly affected" by projected sea level rise. The entity overseeing this effort would also need to define "significantly affected."

Funding the research and developing the guidelines would provide more certainty on exactly how developments in coastal communities should be handled in the future.

Thank you for the opportunity to express our views on this matter.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: htf@java.net
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
hawaii's Thousand Friends	Hawaii's Thousand Friends	Support	No

Comments:

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February 13, 2015

COMMITTEE ON WATER AND LAND

Senator Laura Thielen, Chair

Senator Brickwood Galuteria, Vice Chair

COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS

Senator Will Espero, Chair

Senator Rosalyn Baker, Vice Chair

SB 501 RELATING TO COASTAL ZONE MANAGEMENT

Committee chairs and members;

Hawaii's Thousand Friends, a statewide nonprofit organization dedicated to comprehensive planning and reasonable, responsible and appropriate land use, *supports* SB 501 that requires new development to plan for the impacts of projected sea level rise and prohibits development in areas significantly affected by projected sea level rise.

As the State's resource management umbrella, CZM is the guiding perspective for designing and implementing allowable land and water uses and activities throughout the state.

The inclusion of sea level rise into Chapter 205A objectives and policies is logical because living on islands we know how critical our ocean and coastal ecosystems are to our survival, wellbeing and quality of life.

The counties and state have invested millions of dollars on infrastructure within the coastal zone. To protect public investments it is appropriate that sea level rise be considered when infrastructure is planned within the coastal zone.

As islands sand dunes are/were the first line of defense against damaging ocean surges but coastal development has either removed or severely damaged the dunes leaving coastal areas more vulnerable. The inclusion of avoid grading of and damage to coastal dunes once again acknowledges the effectiveness of sand dunes in mitigating coastal hazards.

Please pass SB 501 out of committee as written.

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: rbergstrom@surfrider.org
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
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SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Rafael Bergstrom	Surfrider Foundation Oahu Chapter	Support	Yes

Comments:

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SB 501: Coastal Zone Management

Rafael Bergstrom

Surfrider Foundation Oahu Chapter

Strong Support

Joint Committee on Water and Land & Public Safety, Intergovernmental and Military Affairs

Friday, February 13, 2015, 3:15 p.m.

Aloha Joint Committee Members,

I would like to voice my strong support for SB 501, which introduces needed changes to our coastal zone management plans in light of a future affected by sea level rise and more dramatic climatic events. Using erosion rates to dictate shoreline setbacks after the initial 60 feet is met, is a progressive avenue to protecting our shorelines and property from future damage. The evidence is mounting that we are going to be strongly effected by sea level rise in our island state and visual, tangible examples are already showing up in coastal areas. The North Shore of Oahu is already under threat from large storm surges that are beginning to erode the foundation of development there. It is important that on some of our outer islands where development has been less prevalent that we take necessary measures to learn from past mistakes on Oahu and protect the coastlines to our utmost ability. SB 501 is a step in the right direction as it recognizes the threats we will be facing and implements an adaptive management technique utilizing localized conditions.

I believe that this is part of a series of adaptive changes that must be implemented to insure that our beaches remain and properties are protected. The island of Oahu has already lost much of its coastline to development and the consequences of armoring our shorelines are dire – in fact often times accelerating the erosion that we are already seeing. Moving ourselves away from the shoreline is the only way to ensure a healthy coastal ecosystem and protect from serious damage.

Please strongly consider this bill as an integral step towards a Hawaii that progressively plans in the face of a changing climate.

Cheers and thank you for your time,

Rafael Bergstrom

Surfrider Foundation Oahu Chapter Coordinator

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: scoleman@surfrider.org
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Thursday, February 12, 2015 4:04:41 PM

SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Surfrider Foundation	Support	Yes

Comments: On behalf of the Surfrider Foundation's five chapters in Hawaii, I am writing in strong support of SB 501. This bill not only protects our beaches and dunes (our best defense of storms and floods), but it also requires planning for climate change and sea level rise for any new coastal developments. This is good for both our fragile coastlines, which are eroding due to sea walls and other armoring, and for any new structures that would be washed away in future storms or inundated due to flooding from sea level rise. The bill would also establish a new coastal setback, which will protect houses and developments that are built too close to the water, as we say when several houses were almost washed away on Oahu's North Shore last winter. Mahalo for your consideration and support of this bill to protect our coastal areas. Aloha, Stuart Coleman Hawaii Manager The Surfrider Foundation

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UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
Senate Committees on Water and Land, and
Public Safety, Intergovernmental and Military Affairs
Friday, February 13, 2015 at 3:15 pm

By

Robert Bley-Vroman, Chancellor

And

Charles Fletcher, Associate Dean and Professor of Geology and Geophysics
University of Hawai'i at Mānoa

SB 501 – RELATING TO COASTAL ZONE MANAGEMENT

Chairs Thielen and Espero, Vice Chairs Galuteria and Baker, and members of the committees:

We support this bill provided that its passage does not replace or adversely impact priorities as indicated in our BOR Approved Budget for the University of Hawai'i.

This bill alters chapter 205A by taking several strong steps in recognition of the impacts of future sea level rise. It would transition counties to a calculation of long-term historical shoreline change as a means of establishing the construction setback. The bill establishes a minimum setback of 60 ft for all new development. The bill requires a covenant for homeowners with a setback exemption or waiver preventing coastal armoring – essentially a “build at your own risk” clause. It also prohibits development in areas exposed to projected sea level rise.

The latest published research (Kopp et al., 2014) concludes that projected future heights of sea level for Honolulu will reach a mean of 1 ft by 2050 and 2.8 ft by 2100, and potentially a maximum of over 4.5 ft by end of the century.

In recognition of the threat of sea level rise, the Obama Administration has recently set a requirement that federal agencies plan for rising seas. Executive Order 11988 is now amended that all projects using federal funding must meet a federal flood risk standard that either:

- 1) Use data and methods “informed by best-available, actionable climate science”;
- 2) Build 2 ft above the 100-year flood elevation for standard projects, and 3 ft above for critical buildings (hospitals and evacuation centers); or
- 3) Build to the 500-year flood elevation.

The action proposed in this bill is consistent with these important steps and will result in significant savings and hazard reduction for the State of Hawai'i if implemented.

Kopp, R.E., et al., 2014 Probabilistic 21st and 22nd century sea-level projections at a global network of tide gauge sites. Earths Future. DOI:10.1002/2014EF000239

From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: panther_dave@yahoo.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Wednesday, February 11, 2015 10:43:34 PM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Dave Kisor	Individual	Support	No

Comments: During my senior year of high school, our Oceanography / Marine Biology instructor was getting his masters at Johns Hopkins Marine Research Lab. He told us if the Greenland and Antarctic ice were to melt, global sea level could raise 200 feet (61 meters), but since 1969, that has been revised to 220 feet (67 meters). I would give serious thought to sea plane and flying boat facilities and where sea ports will perforce have to be relocated. One study indicated sea level had been 300 feet lower during the ice ages, so it isn't that far fetched of an idea that in 80 to 100 years, our progeny will be forced to live on much smaller islands. One disquieting thought is when the ice is gone, so is our planetary thermal moderation. Talk about a hot time in the old town!

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Date: Friday, February 13, 2015 7:58:17 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Albert Morgan	Individual	Oppose	No

Comments: Aloha, I oppose this bill. Restrictions on private property development are to severe. Why should property owners accept that a "projected" event will have a "certain" affect on their private property? Mahalo, Al Morgan Kailua

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Cc: yorkcarlton@gmail.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Friday, February 13, 2015 8:40:32 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Carlton York	Individual	Support	No

Comments: water is rising we need to be prepared for the future .

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Cc: gentlewave@hawaii.rr.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Wednesday, February 11, 2015 12:22:31 PM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
David Dinner	Individual	Support	No

Comments:

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Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Wednesday, February 11, 2015 4:43:55 PM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
E Yadao	Individual	Support	No

Comments:

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Cc: justpeachy242@yahoo.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Friday, February 13, 2015 8:42:19 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Fawn Liebengood	Individual	Support	No

Comments:

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Cc: lucialyou@gmail.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Friday, February 13, 2015 8:24:52 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Lucia You	Individual	Support	No

Comments:

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Cc: merway@hawaii.rr.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Wednesday, February 11, 2015 7:02:36 PM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
marjorie erway	Individual	Support	No

Comments: This is vital for the continuing welfare of our State. Being an island State means that our Counties/islands are disappearing automatically. Therefore, the erosion concept needs to be carefully considered and building should reflect the likelihood of erosion. Please fully support this bill. Mahalo.

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Cc: MSMatson@hawaii.rr.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Thursday, February 12, 2015 7:00:36 AM

SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Michelle Matson	Individual	Support	No

Comments: A shoreline setback of 60 feet is minimal. Please consider 100 to 150 feet.

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From: mailinglist@capitol.hawaii.gov
To: [WTLTestimony](#)
Cc: patriciablair@msn.com
Subject: *Submitted testimony for SB501 on Feb 13, 2015 15:15PM*
Date: Wednesday, February 11, 2015 4:37:38 AM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Patricia Blair	Individual	Support	No

Comments:

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Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Tuesday, February 10, 2015 11:37:05 AM

SB501

Submitted on: 2/10/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
penny levin	Individual	Support	No

Comments: In strong support. I urge the legislature to provide the funding necessary to bring Hawaii Island shoreline erosion rate maps up to speed, particularly for the areas of Waipio, Hilo, and eastern coastline where communities are found or are being planned within low-lying shoreline areas such as Napo'opo'o.

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Cc: rfreitasjr@hotmail.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Thursday, February 12, 2015 6:09:23 AM

SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Robert Freitas Jr.	Individual	Support	No

Comments: I support this bill!!!

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To: [WTLTestimony](#)
Cc: shannonkona@gmail.com
Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Friday, February 13, 2015 8:20:08 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Shannon Rudolph	Individual	Support	No

Comments: Support

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Date: Friday, February 13, 2015 11:20:44 AM

SB501

Submitted on: 2/13/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Tamara Paltin	Individual	Support	No

Comments: This is a good proactive measure we have so much coastline and we can already see the effects of climate change. I live on Maui and work on many coastal projects I know of at least two buildings falling in the ocean in my Moku of Kaanapali. If possible this should also be tied to coastal erosion from more severe storms or high surf cycles that are generated by climate change and human impacts of trying to mitigate with sea walls which exacerbate the problem in another area. Please support SB 501

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Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Wednesday, February 11, 2015 12:48:38 PM

SB501

Submitted on: 2/11/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
Victoria Cannon	Individual	Support	No

Comments: We need to strengthen shoreline planning.

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Subject: Submitted testimony for SB501 on Feb 13, 2015 15:15PM
Date: Thursday, February 12, 2015 2:32:23 PM

SB501

Submitted on: 2/12/2015

Testimony for WTL/PSM on Feb 13, 2015 15:15PM in Conference Room 224

Submitted By	Organization	Testifier Position	Present at Hearing
wynnie hee	Individual	Support	No

Comments: Thank you for recognizing impacts of global warming. Please pass this necessary bill. Thank you.

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