STAND. COM. REP. NO. 1040

Honolulu, Hawaii

March 3

, 2017

RE: H.B. No. 437

H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 437, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to prohibit variances for the installation of shoreline hardening structures that will artificially fix the shoreline, including a seawall, revetment, or groin, unless:

- A public hearing is held;
- (2) The applicant demonstrates that the shoreline hardening structure is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion; and
- (3) No reasonable alternative locations exist outside of the shoreline area.

This measure also sets forth standards for determining whether a variance for a shoreline hardening structure should be approved.



The Office of Planning, Office of Hawaiian Affairs, and Surfrider Foundation supported this measure. The Department of Transportation supported the intent of this measure. The Department of Land and Natural Resources, Mayor of Maui County, and Maui County Department of Planning provided comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 437, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 437, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary,

Y. NISHIMOTO, Chair

## State of Hawaii House of Representatives The Twenty-ninth Legislature



## **Record of Votes of the Committee on Judiciary**

Bill/Resolution No.:	Committee Referral:			Date: 2 / 28 / 17		
HO 437 HDI	OMH, JUD			2/20/17		
☐ 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)						
JUD Members		Ayes	Ayes (WR)		Nays	Excused
1. NISHIMOTO, Scott Y. (C)						
2. SAN BUENAVENTURA, Joy A. (VC)		/				
3. BELATTI, Della Au						
4. BROWER, Tom						
5. JOHANSON, Aaron Ling						·.
6. LEE, Chris						
7. MORIKAWA, Dee						
8. NAKASHIMA, Mark M.						
9. OSHIRO, Marcus R.						-
10. McDERMOTT, Bob						
11. THIELEN, Cynthia			-			
		,				
			ļ <del></del> .			
						-
TOTAL (11)		10	-			/
The recommendation is:  Adopted						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						