

Honolulu, Hawaii

MAR 24 2023

RE: H.B. No. 88
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Water and Land and Higher Education, to which was referred H.B. No. 88, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL EROSION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish and appropriate funds for a two-year program at the University of Hawaii to study sand movement patterns and coastal erosion along the coast between Sunset Beach Park and Ehukai Beach Park on the North Shore of Oahu, including the impact of sandbag walls, tarps, rocks placed in the shoreline, sand pushing, and coastal restoration on beach processes; and
- (2) Establish a temporary moratorium on the use of sandbag walls on state lands, unless authorized by an emergency permit from the Department of Land and Natural Resources.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, and one individual. Your Committees received testimony in opposition to this measure from one individual. Your



Committees received comments on this measure from the Department of the Attorney General.

Your Committees find that areas of Hawaii's iconic and world-famous North Shore have been under threat from coastal erosion. Compounding this problem, many private homeowners have resorted to placing sandbags and other shoreline hardening structures on state lands and public beaches to protect their properties from sea level rise, which can interfere with the natural dynamic of beach sand and potentially result in further erosion. Your Committees find that further investigation is needed to help the State understand how coastal erosion and shoreline hardening structures might affect beaches on the North Shore. Therefore, this measure enlists the University of Hawaii to further study the problem and submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025.

Your Committees have amended this measure by:

- (1) Inserting language that clarifies that, because the findings produced by the proposed study will be generally applicable to other beaches and coastal areas statewide, this measure is consequently a matter of statewide concern; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Water and Land and Higher Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 88, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 88, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Water and Land
and Higher Education,



DONNA MERCADO KIM, Chair




LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HB 88, HD 1	Committee Referral: WTL/HRE, WAM	Date: 3/21/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley				✓
MCKELVEY, Angus L.K.				✓
FEVELLA, Kurt		✓		
TOTAL	2	1	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Higher Education
HRE

Bill / Resolution No.:* <i>HB88 SD1 HD1</i>	Committee Referral: <i>WTL/HRE, WAM</i>	Date: <i>3/21/23</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIM, Donna Mercado (C)	✓			
KIDANI, Michelle N. (VC)	✓			
FUKUNAGA, Carol				✓
KEITH-AGARAN, Gilbert S.C.	✓			
FEVELLA, Kurt		✓		
TOTAL	<i>3</i>	<i>1</i>		<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Michelle N. Kidani</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes