



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
House Committee on Energy and Environmental Protection
Thursday, February 16, 2023 at 9:15 a.m.

By

Darren T. Lerner, PhD
Director, Sea Grant College Program,
School of Ocean and Earth Science and Technology

And

Charles "Chip" Fletcher, PhD
Dean, School of Ocean and Earth Science and Technology

And

Michael Bruno, Provost
University of Hawai'i at Mānoa

HB 756 HD1 – RELATING TO LAND USE

Chair Lowen, Vice Chair Cochran, and Members of the Committee:

The University of Hawai'i Sea Grant College Program (Hawai'i Sea Grant) and the Climate Resilience Collaborative (CRC) support the intent of HB 756 HD1, provided that its passage does not replace or adversely impact priorities as indicated in the University's Board of Regents approved executive biennium budget.

HB 756 HD1 requires the Department of Land and Natural Resources to prepare plans and a program to facilitate voluntary relocation of residential development away from areas at risk of sea level rise, establishes the sea level rise relocation special fund, allows the exchange of public land for private lands for the transfer of development rights or land exchanges to relocate private development away from high-risk areas. The bill also expands the climate change adaptation priority guidelines and appropriates funds to implement these measures. In order to prepare for, react to, and manage the impacts related to sea level rise, the Department must have every tool available in order to effectively protect Hawai'i's coastal communities and public trust beaches. This measure would give the Department additional necessary regulatory tools and financial resources to help facilitate managed retreat.

The complex nature of managed retreat requires evolution beyond the narrow binary options of armor or retreat and instead requires evaluation of broader adaptation options in the context of hazard risk and vulnerability, socio-economic factors and place-based and community driven considerations for a variety of phased adaptation options that include managed retreat. Managed retreat has significant advantages over shorter-term mitigation responses, especially over longer time frames. While there may be

significant opposition to this approach, especially in regard to the use of public funds to acquire coastal lands, the strategy may be best suited when protection of the natural beach resources are the highest priority and are economically justified for public investment into acquisition.

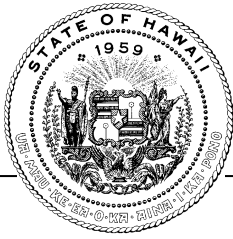
Historically, coastal retreat has taken the form of mandatory relocation of development or communities through government buyouts or incentives but future methods of retreat may include broader planning options such as down zoning and rebuilding restrictions, transferable development rights, increased coastal setbacks, and limitation of ownership transfers. Climate change-driven coastal adaptation will require some phased combination of retreat along with protection and adaptation. Disaster management literature reveals an unprecedented number of major natural disaster events around the world, this suggests a modern era of unmanaged or forced retreat is now affecting many of the low-elevation coastal communities around the world. Unmanaged retreat is often a default reactive response due to a lack of viable adaptation options, and is fundamentally different from strategic managed retreat as part of a holistic suite of adaptation policy tools. This measure will support developing comprehensive adaptation plans including managed retreat along with other adaptation approaches through a variety of mechanisms.

Hawai'i Sea Grant's mission is to provide integrated research, extension, and education activities that increase understanding and use of ocean and coastal resources of the Hawaiian and Pacific Islands and support the informed personal, policy, and management decisions that are integral to realizing this vision. Hawai'i Sea Grant is part of a national network of 34 university-based programs associated with the National Oceanic and Atmospheric Administration (NOAA) that promote better understanding, conservation, and use of coastal resources.

CRC is a multi-investigator research project at the University of Hawai'i at Mānoa focused on sea level rise adaptation and climate resilience. CRC is working to update coastal models with more recent projections of sea level rise and to take account of other variables that impact Hawai'i's shorelines.

Hawai'i Sea Grant and the Climate Resilience Collaborative support HB 756 HD1.

Thank you for the opportunity to testify on this measure.



**STATE OF HAWAII
OFFICE OF PLANNING
& SUSTAINABLE DEVELOPMENT**

JOSH GREEN, M.D.
GOVERNOR

SCOTT J. GLENN
DIRECTOR

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Statement of
SCOTT GLENN, Director

before the
HOUSE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION
Thursday, February 16, 2023, 9:15 AM
State Capitol, Conference Room 325

in consideration of
HB 756 HD1
RELATING TO LAND USE

Chair Lowen, Vice Chair Cochran, and Members of the House Committee on Energy & Environmental Protection:

The Office of Planning and Sustainable Development (OPSD) **supports the intent and offers comments on HB 756 HD1**, which requires the Department of Land and Natural Resources (DLNR) to prepare plans and a program to facilitate voluntary relocation of residential development away from areas at risk of sea level rise; establishes the sea level rise relocation special fund; allows the exchange of public land for private lands for the transfer of development rights or land exchanges to relocate private development away from high risk areas; expands the climate change adaptation priority guidelines; and makes an appropriation. OPSD would like to thank the prior committee for incorporating OPSD's recommendation to include a community education and outreach component be included in this measure and respectfully offers the following **comments and recommendations**:

Section 4 proposes amendments to HRS § 226-109, Climate change adaptation priority guidelines of the Hawaii State Planning Act. The OPSD recognizes the importance of identifying and prioritizing action areas, sending areas, and receiving areas. However, OPSD recommends striking this language on **Page 12, Lines 1-10** in order to align more closely with the existing statutory framework and because the proposed language serves as **supporting actions** that would further meet the goals of existing policies, specifically HRS § 226-109(9) and HRS § 226-109(10).

~~[(11) Identify and prioritize climate change and sea level rise adaptation action areas facing the greatest threats from flooding, erosion, and other increasing impacts; and
(12) Identify and prioritize sending areas and receiving areas, both as defined in section 171-A, for transfer of development from locations that are or will be critically threatened by impacts related to climate change and sea level rise and have high natural resource value.]~~

In accordance with OPSD's responsibilities under Hawaii Revised Statutes (HRS) § 225M-2(b)(9) for climate adaptation and sustainability planning and coordination, the OPSD has

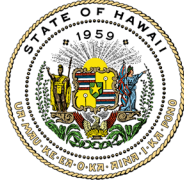
been coordinating implementation of the 2020 Ocean Resources Management Plan (HRS § 205A-62) and regularly working with its interagency working groups to address balancing the importance of natural resources with existing and future shoreline development in consideration of coastal hazards such as erosion and sea level rise.

- In 2019, the OPSD published an initial discussion of managed retreat which described this approach's complexity, necessary coordination, and community outreach.
- In 2022, the OPSD applied for and was awarded federal funding to further advance the state's understanding of implementation of managed retreat by commissioning an analysis of ways to achieve managed retreat by analyzing relevant existing policies, laws, and regulations; an analysis of potential strategies to implement and finance managed retreat and the identification of challenges for its implementation. The project is in the early procurement phase.

OPSD looks forward to collaborating with DLNR to ensure the development of the activities described in this measure are closely coordinated and conducted with participation with existing initiatives with consideration of the outcomes of this forthcoming analysis.

Thank you for the opportunity to testify on this measure.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KENNETH S. HARA
DIRECTOR OF EMERGENCY
MANAGEMENT

JAMES DS. BARROS
ADMINISTRATOR OF
EMERGENCY MANAGEMENT

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF DEFENSE
KA 'OIHANA PILI KAUA
HAWAI'I EMERGENCY MANAGEMENT AGENCY
4204 DIAMOND HEAD ROAD
HONOLULU, HAWAI'I 96816-4420

STATE OF HAWAI'I
DEPARTMENT OF DEFENSE
HAWAI'I EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON HOUSE BILL 756 HD1
RELATING TO LAND USE

BEFORE THE HOUSE COMMITTEE ON **ENERGY & ENVIRONMENTAL PROTECTION**

BY

JAMES DS. BARROS
ADMINISTRATOR
HAWAI'I EMERGENCY MANAGEMENT AGENCY

FEBRUARY 13, 2023

Aloha Chair Lowen, Vice-Chair Cochran, and members of the committee:

I am James Barros, Administrator of the Hawai'i Emergency Management Agency (HI-EMA).

The HI-EMA provides written testimony to **OFFER COMMENTS** on HB756.

HB756 would require the State Department of Land and Natural Resources (DLNR) to prepare plans and a program to facilitate voluntary relocation of residential development away from areas at risk of sea level rise; establish a relocation special fund; and make other changes.

Our colleagues at DLNR can present their own views on the substance of HB756. The HI-EMA would like to use our testimony to comment that any plans or program for voluntary relocation of residences away from areas at risk of sea level rise is based on the concept of mitigating that risk.

HI-EMA and Hawaii's counties regularly update formal hazard mitigation plans that identify hazards and mitigation opportunities. In addition, Federal Emergency Management Agency grants for hazard mitigation are typically limited to projects which have been identified in those hazard mitigation plans. HI-EMA will update the State Hazard Mitigation Plan during 2023.

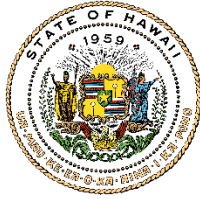
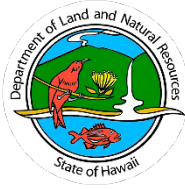
In light of this, HI-EMA respectfully suggests that the Committee consider adding language to HB756 HD1 that would direct that any plans and program for voluntary relocation should be aligned with the State and County hazard mitigation plans. This would streamline and support the State's ability to pursue those federal mitigation grants in the event it chooses to pursue a voluntary relocation.

Thank you for the opportunity to provide testimony.

James DS. Barros: James.Barros@hawaii.gov; 808-733-4300

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621
HONOLULU, HAWAII 96809

Testimony of
DAWN N. S. CHANG
Chairperson

Before the House Committee on
ENERGY & ENVIRONMENTAL PROTECTION

Thursday, February 16, 2023
9:15a.m.

State Capitol, Conference Room 325 & Videoconference

In consideration of
HOUSE BILL 756, HOUSE DRAFT 1
RELATING TO LAND USE

House Bill 756, House Draft 1 proposes to expand the ability of the State to begin utilizing managed retreat as an option for moving residential development of associated infrastructure away from critically vulnerable areas to locations outside of sea level rise and coastal flooding exposure areas. **The Department of Land and Natural Resources (Department) strongly supports this bill.**

A 2012 study by University of Hawai'i researchers for the United States Geological Survey found that over 13 miles of Hawai'i's public beaches have already been lost to beach erosion and construction of coastal armoring including seawalls and revetments. Beach loss and threats to shorefront development will increase exponentially in coming decades with expected accelerating sea level rise if managed retreat is not implemented proactively, especially in high-value natural resource areas where beach protection is prioritized.

The State of Hawai'i, through the Office of Planning and Sustainable Development (OPSD), has studied the feasibility and implications of managed retreat and identified next steps and recommendations for the State to develop a managed retreat plan and program. In the face of sea level rise, relocation of development and associated public infrastructure away from the shoreline is an important element of preserving our beaches and nearshore ecosystem, which the State holds in public trust for current and all future generations.

Through Act 223, Session Laws of Hawai'i 2022 (Act 223), the State recognized the existential threat of sea level rise to real property and that the transfer of development rights, and land exchanges, are useful techniques to achieve community objectives of voluntarily shifting development away from areas that are critically threatened by sea level rise.

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT

LAURA H.E. KAAKUA
FIRST DEPUTY

M. KALEO MANUEL
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

House Bill 756, House Draft 1 will further expand on Act 223, and act on recommendations from OPSD toward making managed retreat a viable option for improving community resilience and conserving beaches and coastal ecosystems.

The Department recognizes that OPSD is currently engaged in conducting a legal and policy analysis of the transfer of development rights and other mechanisms proposed for consideration in this bill. The Department is supportive of OPSD's efforts. The Department will continue to partner with OPSD concerning the comprehensive study of options and would expect to be the implementation agency for any resulting voluntary relocation plan.

The Department finds that House Bill 756, House Draft 1 will improve resilience of shorefront communities and conserve public trust beaches, coastal ecosystems, and public shoreline access.

As the bill will provide alternatives to temporary and permanent shoreline armoring, it will reduce the enforcement burden for unauthorized shoreline erosion control structures on both the Department's Office of Conservation and Coastal Lands, Division of Conservation and Resources Enforcement, and the Board of Land and Natural Resources.

The Hawai'i Emergency Management Agency (HI-EMA) has recommended that language be included that would direct that any plans and programs for voluntary relocation be aligned with the State and Country hazard mitigation plans. HI-EMA states that this would streamline and support the State's ability to pursue those federal mitigation grants in the event that it chooses to pursue a voluntary relocation.

In support of HI-EMA's recommendation, the Department suggests that the following amendment can be inserted on page 7, line 10 of House Bill 756, House Draft 1:

§171-C Sea level rise relocation plan.

- (c) In preparing plans pursuant to this section, the department:
 - (1) May utilize studies:
 - (A) Pertaining to the need for restoration of lands to natural conditions and for public purposes; and
 - (B) Necessary to support the development of voluntary relocation projects, including the development of environmental studies pertaining to relocation of development, cost-benefit analyses for project viability, and engineering studies;
 - (2) Shall consider any plan relating to the restoration of lands that has been prepared by any federal, state, county, or private agency or entity; and
 - (3) Shall include a community education and outreach component to inform and obtain input from affected communities on the plans; and
 - (4) Shall ensure that any plans and programs for voluntary relocation be aligned with the state and county hazard mitigation plans.

Mahalo for the opportunity to testify in strong support of this measure.

LATE *Testimony submitted late may not be considered by the Committee for decision making purposes.

OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

CITY AND COUNTY OF HONOLULU

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RICK BLANGIARDI
MAYOR

MATTHEW GONSER, AICP, CFM
EXECUTIVE DIRECTOR &
CHIEF RESILIENCE OFFICER

NICOLA HEDGE
DEPUTY DIRECTOR &
DEPUTY CHIEF RESILIENCE OFFICER

THURSDAY, FEBRUARY 16, 2023, 9:15 A.M.

STATE OF HAWAII
SENATE COMMITTEE ON ENERGY & ENVIRONMENTAL PROTECTION

**TESTIMONY ON HOUSE BILL 756, HD1
RELATING TO LAND USE**

BY,

MATTHEW GONSER
EXECUTIVE DIRECTOR AND CHIEF RESILIENCE OFFICER
OFFICE OF CLIMATE CHANGE, SUSTAINABILITY AND RESILIENCY

Dear Chair Lowen, Vice Chair Cochran, and Members of the Committee:

The City and County of Honolulu (“City”) Office of Climate Change, Sustainability and Resiliency (CCSR) **supports the intent of and offers suggested amendments** to HB756, HD1, which requires the Department of Land and Natural Resources to prepare a sea level rise relocation plan; establishes a sea level rise relocation special fund; and allows for the transfer of development rights (TDR).

Encouraged by the passage of Act 223, Session Laws of Hawaii 2022, which expanded the authority of the counties to use TDR to protect areas vulnerable to coastal hazards, including sea level rise and erosion, the City began investigating the feasibility of TDR through revisions to the City’s Land Use Ordinance. We believe that TDR is an important potential tool to facilitate voluntary relocation away from at-risk areas. However, if not implemented effectively, TDR has the potential to cause urban sprawl and increase development pressure on valuable agricultural lands. Therefore, we recommend that the bill clarify that any plan undertaken by the Department of Land and Natural Resources (DLNR) should include suitability rankings in the identification of potential sending and receiving areas for relocation of development based on criteria such as: availability of existing infrastructure, including sewer and school districts; availability of water; compatibility of high-density development with local zoning and community plans; adjacency to public transit; and status within or outside of any applicable urban growth boundary.

Chair Lowen and Vice Chair Cochran
HB756, HD1
February 16, 2023
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In order to maximize the effectiveness of any TDR program, we further recommend that the State study the establishment of a development rights bank to act as a clearinghouse for the sale and purchase of development rights. This will ensure that development rights transactions may happen asynchronously, which has been found to greatly increase the utility of TDR programs.

Finally, due to recent updates in sea level rise data, we recommends that the bill specify which sea level rise planning benchmarks are to be used in development of a DLNR sea level rise relocation plan. The Hawai'i Climate Change Mitigation and Adaptation Commission recently updated its Sea Level Rise Adaptation and Vulnerability Report¹, which recommends a revised planning and policy benchmarking of four feet (up from the 2017 guidance of 3.2 feet) as the minimum scenario, as well as a six feet benchmark for planning and design of public infrastructure and other projects with low tolerance for risk.

Thank you for the opportunity to offer these comments on HB756, HD1.

¹ Hawai'i Sea Level Rise Vulnerability and Adaptation Report. 2022 Update. Hawai'i Climate Change Mitigation and Adaptation Commission: <https://climate.hawaii.gov/wp-content/uploads/2023/02/Item-5.-Sea-Level-Rise-Adaptation-and-Vulnerability-Report-2022.pdf>



2/14/2023

Water and Land Committee
Hawai'i State Capitol
Honolulu, Hawai'i 96813

Dear Chair Lowen, Vice Chair Cochran, and Members of the House Committee on Energy & Environmental Protection,

Position: Support HB756 - Voluntary relocation of residential development away from areas at risk of sea level rise

The Surfrider Foundation, Hawai'i region, is testifying in **strong support of HB756**, relating to the state establishing a program to facilitate voluntary relocation of residential development away from sea level rise risk areas and the establishment of a sea level rise relocation special fund.

The coastlines of Hawai'i are facing severe chronic erosion that is being exacerbated by climate change and sea level rise. 70% of the sandy beaches on Maui, O'ahu, and Kaua'i are experiencing chronic erosion that is further being exacerbated by rising sea levels. Homes, businesses, and public infrastructure like roads are in highly vulnerable coastal areas.

Despite the clear and ongoing threats to certain coastal areas in Hawai'i, we lack a proactive and holistic approach to relocating vulnerable properties away from the ocean. Over the past year, the Surfrider Foundation, O'ahu Chapter and SeaGrant convened the North Shore Coastal Resilience Working Group (NSCRWG),¹ a group of stakeholders on the North Shore, to discuss the imminent threats of sea level rise and proposed solutions. One of the key findings was the lack of a statewide managed retreat program that will provide a pathway for affected landowners to voluntarily vacate affected properties.

Currently our shorelines are experiencing unmanaged retreat which threatens public and private property, public safety, and the loss of public beaches. This bill is an important step towards developing a holistic and statewide approach to relocating vulnerable properties away from the ocean. Without this step forward, Hawai'i will continue to lose valuable public beaches that have immeasurable cultural, environmental, and public health value. We need HB756 to help shift our shoreline management approach from reactionary and piecemeal to one that is proactive and holistic.

Thank you for your consideration of this testimony in support of HB756, submitted on the behalf of the Surfrider Foundation's 4 Chapters in Hawai'i and our 437 local community members.

The Surfrider Foundation is a national nonprofit organization dedicated to the protection and enjoyment of our ocean, waves, and beaches. Surfrider maintains a network of over 150 chapters and academic clubs nationwide, including 4 chapters in the Hawaiian Islands. The Surfrider Foundation focuses on many aspects of the environment such as coastal protection, plastic pollution, and water quality.

Sincerely,

Lauren Blickley
Hawai'i Regional Manager
Surfrider Foundation

¹ <https://hawaii.surfrider.org/northshoreworkinggroup/>

HB-756-HD-1

Submitted on: 2/14/2023 5:17:28 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Ted Bohlen	Hawaii Reef and Ocean Coalition	Support	Written Testimony Only

Comments:

HIROC supports managed retreat as a strategy to save our shorelines in the face of seas level rise.

Thursday, February 16, 2023, 9:15 A.M.

State of Hawai‘i

House Committee on Energy & Environmental Protection
State Capitol, Conference Room 325

**JOINT TESTIMONY OF DUANE FISHER AND ERIC ROBINSON OFFERING
COMMENTS ON HOUSE BILL 756, HD1
RELATING TO LAND USE**

Dear Chair Lowen, Vice Chair Cochran, and Committee Members:

Our firm is legal counsel for a variety of clients that own property throughout the State, including individuals, businesses, and resorts. Duane R. Fisher has been a practicing business / real estate law attorney in Hawaii for the past 31 years. Eric Robinson has worked on land use, shoreline, and special management area issues since he began practicing in 2020. We **offer comments** on House Bill 756, HD1.

While we generally support the bill, we believe that, in addition to voluntary relocation (*i.e.*, “managed retreat”) the State should also focus on other potential strategies for adapting to sea level rise. We know, as the State has already reported, that in some areas it is infeasible or extremely impractical to retreat (for example, important resort areas like Waikiki, Honolulu Harbor, Daniel K. Inouye International Airport, and numerous State and County public infrastructure projects). Additionally, irrespective of which adaptation strategies are suitable for an area, public land (*i.e.*, the beach) will likely be involved. Accordingly, we request that the scope of the bill be expanded to include studies and funding for additional adaptation strategies. We respectfully offer the below revisions for the Committee’s consideration.

- **SECTION 1, Page 1, Line 8:** After “community resource value.” Insert the following sentence:

“The Legislature finds that there are some areas where it is infeasible or extremely impracticable to retreat, and that it will be important to study and develop other strategies for dealing with sea level rise for those areas, including, accommodation and protection strategies.”

RATIONALE: Consistent with the State’s findings in its 2019 Final Report *Assessing the Feasibility and Implications of Managed Retreat Strategies for Vulnerable Coastal Areas in Hawai‘i*, it is important to recognize that not all areas of Hawaii’s coastlines can be retreated and additional adaptation strategies will be required to respond to sea level rise. The Report also recognizes the adaptation strategies of accommodation, which includes, *e.g.*, elevating structures, and protection, which includes, *e.g.*, beach restoration.

- **SECTION 1, Page 2, Line 1:** Before “(3) Identify funding for retreat;” insert a new (3) as follows, and renumber the existing (3), (4), (5), (6), and (7) accordingly:

“(3) Evaluate whether retreat is the solution versus accommodation and/or protection, because not all coastal areas can be retreated.”

RATIONALE: Additional sea level rise adaptation strategies need to be identified where retreat is not feasible.

- **SECTION 2, Page 3, Line 17:** Delete “and” from line 17.
- **SECTION 2, Page 3, Line 18:** Before “(5) Appropriating funds.” insert a new (5) as follows, and renumber the existing (5) accordingly:

“(5) Further study other appropriate responses to sea level rise (e.g., accommodation and protection) where retreat is not feasible; and”

RATIONALE: Additional sea level rise adaptation strategies need to be studied because retreat is not feasible in all areas.

- **SECTION 2, Page 8, Line 15:** Before SECTION 3, insert a new § 171-E as follows:

“§171-E Sea Level Rise Accommodation and Protection Special Fund. (a) There is established in the state treasury the sea level rise accommodation and protection special fund, into which shall be deposited:

- (1) Appropriations made by the legislature;
- (2) Donations and contributions made by private individuals or organizations;
- (3) Grants provided by government agencies or other sources;
- (4) Proceeds from lawsuits holding industries accountable for climate change impacts that threaten the State.

(b) The sea level rise accommodation and protection special fund may be used for the following:

- (1) Planning, designing, development or implementation of, sea level rise accommodation or protection projects; or
- (2) Providing grants to the counties, nongovernmental organizations, and the University of Hawaii for the accommodation or protection of coastal lands and structures where retreat is not feasible.”

RATIONALE: In recognition of the Governor’s commitment to establish a Climate Impact Special Fund, an appropriation could be made to consider additional sea level rise adaptation measures in response to climate change. The fund should maintain all options for government action related to adapting to sea level rise. Alternatively, the “Sea level rise relocation special fund” proposed as §171-D (Page 7, Line 10 through Page 8, Line 14) could be revised to encompass both special

funds by renaming the “sea level rise relocation special fund”¹ as the “coastal adaptation special fund”; and by replacing “sea level rise relocation projects” with “sea level rise adaptation projects” at Page 8, Line 7.

- **SECTION 4, page 12, line 4:** Delete “and”.
- **SECTION 4, page 12, line 10:** Delete “.” and replace with “; and”.
- **SECTION 4, page 12, line 11:** Before SECTION 5, insert the following:

“(13) Identify and prioritize areas for accommodation and protection in response to sea level rise, where retreat or relocation is not feasible.”

RATIONALE: Additional sea level rise adaptation strategies need to be identified and prioritized because retreat is not feasible in all areas.

Mahalo for the opportunity to provide testimony in support of HB756, HD1.

Very truly yours,



Duane R. Fisher



Eric S. Robinson

¹ “Sea level rise relocation special fund” would need to be renamed at: (1) Page 7, Line 10; (2) Page 7, Lines 11-12; (3) Page 8, Lines 2-3; and (4) Page 8, Line 4.

HB-756-HD-1

Submitted on: 2/15/2023 2:44:32 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Thorne Abbott	Coastal Planners, LLC	Support	Written Testimony Only

Comments:

Please support and promote incentives to move out of harm's way from coastal hazards such as those offered by this bill and previous agency comments.

HB-756-HD-1

Submitted on: 2/8/2023 7:23:25 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Andrew Crossland	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill.

HB-756-HD-1

Submitted on: 2/13/2023 10:57:06 AM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Benyshek	Individual	Support	Written Testimony Only

Comments:

Aloha, I am writing to express my strong support for HB756 HD1, which would establish a managed retreat program for our island. This is vital as the tides and swells continue to rise due to climate change. We must act now! Thank you for your time and consideration.

Elizabeth Benyshek

Chair, Surfrider Foundation Oahu Chapter

HB-756-HD-1

Submitted on: 2/13/2023 4:38:31 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
David Fukuzawa	Individual	Oppose	Written Testimony Only

Comments:

Dear Honorable Representatives,

I am in opposition of this bill. Although I agree with the measure in what it wants to accomplish, I was perplexed by the effective date of June 30, 3000. Why are we waiting until the world disappears to do something. Again is this a typo? If the date is significantly moved closer to present day, I would probably be in favor of this measure.

Sincerely,

David Fukuzawa

HB-756-HD-1

Submitted on: 2/14/2023 9:10:13 PM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Ruth Love	Individual	Oppose	Written Testimony Only

Comments:

While I can approve of planning ahead, I feel that if and when sea level rise happens, the burden should not fall to all taxpayers to bail out a person who decided to buy waterfront property. Also, they should have their own homeowners insurance.

Thank you,

Mrs. Ruth Love

HB-756-HD-1

Submitted on: 2/16/2023 12:08:56 AM

Testimony for EEP on 2/16/2023 9:15:00 AM

Submitted By	Organization	Testifier Position	Testify
Patricia Cadiz	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because of the funding aspect.

Every beach is unique and deserves to be evaluated for restoration with every tool in the toolkit of coastal engineering and science. Funding directed at only one option is unfair for beaches where retreat is not the best option.

Retreat will seldom be the best option on my home island of Maui because we have very little sand left. On the north shore many of our beaches are just narrow ribbons of sand over volcanic clay and basalt boulders. If we were to willfully abandon our shoreline, we would not be left with a lovely sand beach as many would like you to believe. We would have turbid waters and unsafe shorelines. Therefore I beg you not to incentivize retreat over the myriad of other beach and reef restoration options by creating this special fund.

I notice that the bill is contradictory in that it proposes this funding for retreat but also states that one "Priority Guideline" is to: *Encourage the preservation and restoration of natural landscape features, such as coral reefs, beaches and dunes, forests, streams, floodplains, and wetlands, that have the inherent capacity to avoid, minimize, or mitigate the impacts of climate change;*

You can't practice preservation if you are incentivizing abandonment.

Please oppose this bill. We can do better.