

THE SENATE  
KA 'AHA KENEKOA

THE THIRTY-SECOND LEGISLATURE  
REGULAR SESSION OF 2023

COMMITTEE ON WATER AND LAND

Senator Lorraine R. Inouye, Chair  
Senator Brandon J.C. Elefante, Vice Chair

NOTICE OF HEARING

DATE: Wednesday, February 1, 2023  
TIME: 1:00 PM  
PLACE: Conference Room 229 & Videoconference  
State Capitol  
415 South Beretania Street

**PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL  
BUILDING HOURS: 7AM TO 5PM, MONDAY - FRIDAY**

Face masks are recommended while visiting the State Capitol and may be required in some offices.  
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*The Legislature is accepting written, videoconference, and in-person testimony at public hearings.*  
A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

A G E N D A

**SB 70**

[Status &  
Testimony](#)

RELATING TO THE CONSERVATION AND RESOURCES  
ENFORCEMENT PROGRAM.  
Requires the Department of Land and Natural Resources to  
pursue and obtain accreditation for the Conservation and  
Resources Enforcement Program from the Commission on  
Accreditation for Law Enforcement Agencies, Inc. Appropriates  
funds.

WTL, WAM

**SB 81**

[Status &  
Testimony](#)

RELATING TO NATURAL RESOURCE MANAGEMENT.  
Clarifies that the Board of Land and Natural Resources' authority  
shall supersede the Mauna Kea Stewardship and Oversight  
Authority for all lands designated under the state conservation  
district.

WTL, JDC/WAM

**SB 69**

[Status & Testimony](#)

RELATING TO COASTAL ZONE MANAGEMENT.

WTL, WAM/JDC

Includes the establishment of a consistent and balanced framework for developing and implementing sea level rise adaptation strategies as an objective of the Coastal Zone Management Program. Includes the promotion of research, study, and understanding of the suitability and impacts of different sea level rise adaptation as a policy of the Coastal Zone Management Program. Includes the maintenance of a balance between public and private interests in implementing sea level rise adaptation and consideration of all appropriate sea level rise adaptations as policies of the Coastal Zone Management Program. Includes as a policy of the Coastal Zone Management Program that any construction on shoreline be allowed if it is determined to preserve, protect, or rehabilitate the beach of be considered vital development. Requires the County Planning Commission to allow proposed development within the shoreline area and within the sea level rise exposure area under certain circumstances. Prohibits any policy or guideline for setting special area use permit application procedures that has the effect of a rule without complying with the rulemaking process. Preempts any rule, policy, or guideline inconsistent with the Special Management Area Guidelines. Allows counties to require that shoreline setback lines be established at greater distances in certain circumstances. Provides that no variance be denied for maintenance, renovation, or repair of a lawful nonconforming structure with exceptions.

**SB 89**

[Status & Testimony](#)

RELATING TO MARINE MANAGEMENT AREAS.

WTL, JDC

Requires the Department of Land and Natural Resources to comply with chapter 91, Hawaii Revised Statutes, when designating marine management areas.

**SB 92**

[Status & Testimony](#)

RELATING TO COMMUNITY-BASED SUBSISTENCE FISHING AREAS.

WTL, JDC/WAM

Establishes a time limitation for community-based subsistence fishing area designations; provided that the Department of Land and Natural Resources may consider extending a designation in the year prior to the designation's expiration unless the designation is made through statute before its expiration.

**SB 94**

[Status & Testimony](#)

RELATING TO SPECIAL ACTIVITY PERMITS.

WTL, JDC

Requires the Department of Land and Natural Resources to approve or deny an application for a special activity permit for aquatic research within ninety days from the date that it was submitted.

**SB 98**

[Status & Testimony](#)

RELATING TO WILDLIFE MANAGEMENT.

WTL, WAM

Requires the Auditor to audit the Department of Land and Natural Resources' Aquatic Resources Division's expenditures of funds received from the federal Wildlife and Sport Fish Restoration program. Requires a report to the Legislature.

**SB 730**

[Status & Testimony](#)

RELATING TO FISHPONDS.

WTL, WAM

Appropriates funds to support the Department of Land and Natural Resources in restoring and restocking fishponds.

Decision Making to follow, if time permits.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

Please go to the Legislature's website, [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov), to submit **written testimony** at least 24 hours prior to the hearing. Create a free account on the website, or sign in to an existing account, then click on the "Participate" drop down menu and select the "Submit Testimony" option to get started. While submitting your written testimony, you will be prompted to indicate if you would also like to testify at the hearing in-person or remotely via videoconference.

Please note the following:

- The number of oral testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify orally.
- Testifiers for this hearing will be limited to **2 minutes** each.

If you wish to **testify via videoconference** during the hearing, please review the detailed step-by-step instructions for testimony procedures before you submit your written testimony. Here's a direct link to the instructions: <https://capitol.hawaii.gov/docs/testimonyinstructions.pdf>

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For amended notices: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-8399.

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Senator Lorraine R. Inouye  
Chair