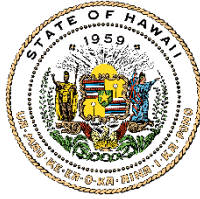


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
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ACTING DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION
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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

Testimony of
DAWN N. S. CHANG
Chairperson

Before the Senate Committee on
WATER AND LAND

Monday, February 12, 2024
1:00 p.m.

State Capitol, Conference Room 415 & Videoconference

In consideration of
SENATE BILL 2183
RELATING TO RESTORATION OF BEACH LANDS

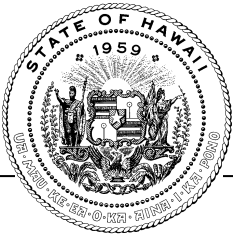
Senate Bill 2183 proposes to amend the definition of “beach restoration” used in laws governing the Board of Land and Natural Resources’ powers to engage in beach restoration to include activities undertaken to improve eroded beaches and degraded dune systems and to remove abandoned and remnant manmade materials that pose a risk to the health of the public and ecosystem. **The Department of Land and Natural Resources (Department) strongly supports this bill.**

The Department administers the beach restoration program for the State via the Office of Conservation and Coastal Lands (OCCL). The beach fund can be used to provide grants to counties, nongovernmental organizations and the University of Hawai‘i for the restoration of beach lands.

Currently “beach restoration” by definition is limited to the placement of sand on a beach from outside sources such as streams, harbors, quarries, and offshore sand sources. In recent years community organizations have expressed an interest in conducting related nature-based activities, such as dune restoration, to promote a naturally resilient shoreline. These organizations need financial assistance to accomplish these stewardship activities.

The Department supports broadening the types of community-supported activities covered by the definition of “beach restoration.” Including dune restoration, sand pushing, removal of derelict structures, and stream mouth clearing as “beach restoration” will enable OCCL to support a full suite of nature-based activities proven to enhance the public trust, promote resilience, and encourage community engagement.

Mahalo for the opportunity to provide testimony in support of this measure.



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

JOSH GREEN, M.D.
GOVERNOR

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LT. GOVERNOR

MARY ALICE EVANS
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Statement of
MARY ALICE EVANS, Interim Director

before the
SENATE COMMITTEE ON WATER AND LAND
Monday, February 12, 2024, 1:00 PM
State Capitol, Conference Room 229

in consideration of
SB 2183
RELATING TO RESTORATION OF BEACH LANDS.

Chair Inouye, Vice Chair Elefante, and Members of the Senate Committee on Water and Land:

The purpose of SB 2183 is to amend the definition of beach restoration used in laws governing the board of land and natural resources' powers to engage in beach restoration by expanding the types of activities in response to the increasing threat of sea level rise and beach loss.

The Office of Planning and Sustainable Development **supports** SB 2183, and recommends amendments to the definition of "Beach restoration" proposed by SB 2183 as follows:

"Beach restoration" means any activity undertaken to:

- (1) [~~Maintain~~] Stabilize and improve eroded beaches and degraded dune systems through management and restoration of sand and native dune vegetation; [~~or~~] and/or
- (2) Remove [~~abandoned remnant manmade~~] materials abandoned on beaches and dunes that pose a risk to public [~~and ecosystem~~] health and coastal ecosystems.

Thank you for the opportunity to testify on this measure.

Monday, February 12, 2024, 1:00 P.M.

State of Hawai‘i

Senate Committee on Water and Land
State Capitol, Conference Room 229

**JOINT TESTIMONY OF DUANE FISHER AND ERIC ROBINSON IN OPPOSITION
TO SENATE BILL 2183
RELATING TO RESTORATION OF BEACH LANDS**

Dear Chair Inouye, Vice Chair Elefante, and Committee Members:

Our firm is legal counsel for a variety of clients that own property throughout the State, including individuals, businesses, and resorts. We practice in the areas of business and real estate law, including land use, shoreline, and special management area issues. We **oppose** Senate Bill 2183 as currently written—the existing language of HRS § 171-151 should not be deleted.

We agree with the bill’s premise that the State should “expand[] the types of activities” that it “recognizes as restorative and beneficial to beach lands[.]” However, the bill would actually to narrow the types of recognized activities. For instance, the bill removes sand placement with stabilizing structures from the list of recognized beach restoration activities, even though these may be needed. As an example in application, beach restoration in Waikiki may need stabilizing structures, such as groins. There is no one-size-fits-all solution beach restoration, nor is there a one-size-fits-all solution for adapting to sea level rise. We must keep all of the tools available to us in the toolbox. With this in mind, we respectfully submit the following amendments for the Committee’s consideration.

• **On page 2, lines 13-17: restore deleted language and revise to read as follows:**

““Beach restoration” means the placement of sand, with or without stabilizing structures, on an eroded beach from an outside source such as offshore sand deposits, streams, channels or harbor mouths, or an upland sand quarry; or any activity undertaken to:”

Mahalo for the opportunity to provide testimony on SB2183.

Very truly yours,



Duane R. Fisher



Eric S. Robinson