

RICHARD T. BISSEN, JR.
Mayor

JOSIAH K. NISHITA
Managing Director



OFFICE OF THE MAYOR
COUNTY OF MAUI
200 SOUTH HIGH STREET
WAILUKU, MAUI, HAWAII 96793
www.mauicounty.gov

TO: Senator Chris Lee, Chair
Senator Lorraine R. Inouye, Vice Chair
Committee on Water, Land, Culture and the Arts

FROM: Richard T. Bissen, Jr., Mayor
Jodran Molina, Director of Public Works

DATE: March 21, 2026

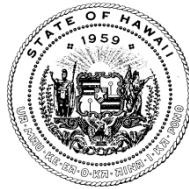
SUBJECT: **SUPPORT OF HB1823 HD2, RELATING TO THE COASTAL ZONE
MANAGEMENT ACT.**

Thank you for the opportunity to testify in **SUPPORT** of this important measure which specifies that certain activities should be exempt from special management area use permit requirements. Exempts federal-, state-, or county-funded, authorized, or implemented infrastructure and improvement projects that are exempt from an environmental assessment or for which a finding of no significant impact has been issued. Effective 7/1/3000. (HD2)

1. Passage of this bill would greatly reduce the cost of project planning and completion as well as the delivery schedule. Cost savings and reduction in time of delivery benefit the community we are serving.
2. The HD2 version is limited to public infrastructure projects, which mitigates against the concerns for unfettered development occurring in the SMA or shorelines area without oversight.
3. Public infrastructure projects are subject to numerous instances of public notice and review. The most significant public review that occurs is when funding appropriations occur in the county budget. The proposal and adoption of the county budget undergo multiple public hearings by the county administration and county councils.
4. Public infrastructure projects are derived directly from county general plans and community plans and seek to implement the policies and priorities that these plans identify. Constraining public infrastructure project with extraneous permitting requirements seeks to undermine project implementation, causes projects to incur unnecessary costs that wastes public funds, and delays the benefits of public infrastructure from being realized.
5. The bill represents a significant efficiency measure by the State and will enable the counties to recover its scarce engineering capacity to focus more on critical priorities like affordable housing.

Mahalo for your consideration.

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

Monday, March 23, 2026
1:05 PM
State Capitol, 224

HB1823, HD2
RELATING TO THE COASTAL ZONE MANAGEMENT ACT

Senate Committee on Water, Land, Culture & The Arts

The Department of Transportation (DOT) supports HB1823 HD2.

This bill amends the definition of 'development' under Hawaii's Coastal Zone Management Act to exempt certain federal-, state-, or county-funded infrastructure and improvement projects that are exempt from an environmental assessment or for which a finding of no significant impact has been issued. The DOT supports this provision because it aligns with the Department's mission to deliver essential transportation infrastructure efficiently while maintaining compliance with environmental standards.

Specifically, the bill's exclusion of infrastructure projects that meet the criteria outlined in chapter 343, Hawaii Revised Statutes, ensures that critical public works such as roadways, bridges, waterlines, wastewater facilities, and utility improvements can proceed without unnecessary delays caused by overlapping permitting processes. These types of projects are often time-sensitive and vital to public safety, economic development, and resilience in coastal communities.

Although the aim of the bill is to streamline project delivery, the bill maintains important safeguards by requiring that any excluded use, activity, or operation shall be defined as "development" if the authority finds that it may have a cumulative impact or significant environmental or ecological effect on a special management area. This preserves the integrity of the CZMA's environmental review framework and ensures that the exemption does not undermine the protection of sensitive coastal ecosystems.

Thank you for the opportunity to testify in support of this bill.



OFFICE OF HAWAIIAN AFFAIRS

‘Ōlelo Hō‘ike ‘Aha Kau Kānāwai

TESTIMONY IN OPPOSITION OF HOUSE BILL 1823 HD2
RELATING TO THE COASTAL ZONE MANAGEMENT ACT

Ke Kōmike ‘Aha Kenekoa o ka Wai, ‘Āina, a me ka Mo‘omeheu a me nā Hana No‘eau
(Senate Committee on Water, Land, and Culture and the Arts)

Ke Kapitala ‘o Hawai‘i
(Hawai‘i State Capitol)

Malaki 23, 2026

1:05 PM

Lumi 224

Aloha e Chair Lee, Vice Chair Inouye, and Members of the Committee:

The Office of Hawaiian Affairs (OHA) **OPPOSES HB1823 HD2**, which would exempt certain infrastructure and improvement projects from Special Management Area (SMA) use permit requirements if the project is exempt from an environmental assessment under chapter 343, Hawai‘i Revised Statutes (HRS), or has received a finding of no significant impact (FONSI).

OHA is the constitutionally established body responsible for protecting and promoting the rights of Native Hawaiians.¹ As part of our constitutional and statutory mandate, OHA regularly assesses the policies and practices of other agencies impacting on Native Hawaiians and conducts advocacy efforts on their behalf.² In this capacity, OHA regularly reviews SMA permit applications and environmental assessments for legal compliance and has substantial experience with these processes.

OHA has significant concerns that this measure is overly broad in scope and may unintentionally exempt a wide range of projects from SMA use permit requirements. The inclusion of projects that are “authorized” and described as “improvement projects” is particularly problematic. These terms are not clearly defined and could be interpreted to include private development projects that receive approvals from any federal, state, or county agency. As a result, the bill could extend SMA exemptions well beyond traditional

¹ Haw. Const. Art. XII § 5.

² See HRS § 10-3(4).

public infrastructure projects—exceeding the bill’s stated purpose and undermining the intent of coastal zone management protections under HRS chapter 205A.

Additionally, the bill relies on HRS chapter 343 exemption determinations or FONSI findings as a basis for bypassing SMA permit requirements. However, OHA’s experience indicates that chapter 343 exemptions are sometimes applied to projects that may still have the potential to impact sensitive shoreline resources, cultural sites, or Native Hawaiian traditional and customary practices. SMA permitting serves as an important, independent layer of review specifically tailored to shoreline-specific concerns and should not be automatically bypassed based on broader environmental determinations. Even where a project may not result in significant overall environmental impacts, an SMA use permit may still be necessary to address site-specific coastal issues. The SMA process allows for focused review and the imposition of conditions to protect public beaches, access, mitigate coastal hazards, and safeguard Native Hawaiian traditional and customary practices.

Finally, SMA use permit processes provide critical opportunities for public participation in decisions affecting shoreline areas. Exempting broad categories of projects from SMA requirements would significantly reduce community input and transparency for activities occurring in some of Hawai‘i’s most sensitive and culturally significant environments.

For these reasons, OHA respectfully urges the Committee to **DEFER HB1823 HD2**.

Mahalo for the opportunity to testify.

Council Chair
Alice L. Lee

Vice-Chair
Yuki Lei K. Sugimura

Councilmembers
Kauanoë Batangan
Tom Cook
Gabe Johnson
Tamara Paltin
Keani N.W. Rawlins-Fernandez
Shane M. Sinenci
Nohelani U'u-Hodgins



Director of Council Services
David M. Raatz, Jr., Esq.

Deputy Director of Council Services
Richelle K. Kawasaki, Esq.

COUNTY COUNCIL
COUNTY OF MAUI
200 S. HIGH STREET
WAILUKU, MAUI, HAWAII 96793
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March 22, 2026

TO: Honorable Chris Lee, Chair, and
Members of the Senate Committee on Water, Land, Culture, and the Arts

FROM: Nohelani U'u-Hodgins *Nohelani U'u-Hodgins*
Councilmember

DATE: Monday, March 23, 2026
1:05 p.m., Conference Room 224

SUBJECT: **TESTIMONY IN SUPPORT OF HB 1823, HD2, RELATING TO COASTAL
ZONE MANAGEMENT ACT**

Thank you for the opportunity to submit testimony in support of this measure. The purpose of this measure is to specify that certain activities should be exempt from special management area use permit requirements. Exempts federal-, state-, or county-funded, authorized, or implemented infrastructure and improvement projects that are exempt from an environmental assessment or for which a finding of no significant impact has been issued.

The Maui County Council has not had the opportunity to take a formal position on this measure. Therefore, I am providing this testimony in my capacity as an individual member of the Maui County Council.

As noted in prior testimony on HD1, this measure plays an important role in clarifying the definition of "development" within the special management areas (SMAs) by identifying activities that should be excluded from permitting requirements. This clarification helps prevent unnecessary delays for routine, low-impact, and essential projects while maintaining environmental safeguards through existing agency oversight.

March 22, 2026

Page 2

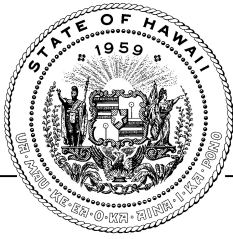
By more clearly aligning exemptions with established environmental review processes under Chapter 343, HD2 reduces ambiguity and provides greater certainty for project implementation. This ensures that critical infrastructure—such as water systems, drainage, transportation, and utilities—can proceed more efficiently while still being subject to appropriate environmental review when necessary.

Importantly, both HD1 and HD2 versions retain the safeguard that allows permitting authorities to require review if a project may result in cumulative or significant environmental or ecological impacts. This continued provision ensures that streamlining efforts do not come at the expense of environmental protection.

Overall, HB 1823 HD2 improves upon the earlier version by offering clearer standards, reducing duplicative permitting requirements, and better supporting the timely delivery of public infrastructure—an urgent need for communities across Hawai‘i.

For these reasons, I respectfully urge your support of HB 1823, HD2.

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



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

JOSH GREEN, M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR

MARY ALICE EVANS
DIRECTOR

235 South Beretania Street, 6th Floor, Honolulu, Hawaii'i 96813
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Statement of
MARY ALICE EVANS, Director

before the
SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS
Monday, March 23, 2026, 1:05 PM
State Capitol, Conference Room 224

in consideration of
HB 1823 HD2
RELATING TO THE COASTAL ZONE MANAGEMENT ACT.

LATE

Chair Lee, Vice Chair Inouye, and Members of the Senate Committee on Water, Land, Culture and the Arts:

HB 1823 HD2 proposes to amend the definition of “development” under chapter 205A, Hawaii'i Revised Statutes (HRS), as it pertains to coastal zone management areas, to exempt from special management area use permit requirements state- or county-sponsored infrastructure improvement projects that are consistent with applicable county community plans.

The Office of Planning and Sustainable Development (OPSD) is the lead agency of the Hawaii'i Coastal Zone Management Program, codified in HRS chapter 205A.

OPSD **supports HB 1823 HD2**, which would create a targeted permitting exemption to streamline the delivery of essential public infrastructure aligning with HRS chapter 343 requirements, for the following reasons:

1. “Special management area” defined in section 205A-22 under part II of chapter 205A is different from the “shoreline area” as defined in section 205A-41 under part III of chapter 205A. Shoreline area, the land area between the shoreline and the shoreline setback line, is a subset of the special management area (SMA).

Unless a shoreline setback variance is granted, except as provided in subsection 205A-44(b), all structures, including state- or county-sponsored infrastructure, shall be prohibited within the shoreline area to protect shoreline processes, provide shoreline public access, and reduce the risk of coastal hazards such as coastal erosion, storm surges, coastal flooding and sea level rise. Except as provided in section 205A-43.5, application for a shoreline setback variance for a public infrastructure project will require a public hearing held under HRS chapter 91.

HB 1823 HD2 RELATING TO COASTAL ZONE MANAGEMENT ACT - SUPPORT
State Office of Planning and Sustainable Development
Monday, March 23, 2026

2. Even if a proposed public infrastructure project were to be exempted from a requirement for an SMA permit, the use of state or county funds or the use of state or county lands, will require preparation of an environmental assessment as set forth in HRS chapter 343. In accordance with HRS chapter 343 and Hawai'i Administrative Rules chapter 11-200.1, such environmental assessment must include findings on consistency with applicable county general plan, county's community plan, zoning and other land use and environmental policies. Therefore, the community will have opportunities to provide input on the impacts of the proposed project.
3. In accordance with section 205A-22, when the authority finds that any excluded use, activity, or operation may have a cumulative impact, or significant environmental or ecological effect on a SMA, that use, activity, or operation shall be defined as "development" for the purpose of part II of chapter 205A. In other words, if a public infrastructure and improvement project has significant impacts, including cumulative impacts on the SMA, an SMA Use Permit will be required.

Thank you for the opportunity to testify on this measure.

HB-1823-HD-2

Submitted on: 3/22/2026 10:54:52 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nakoolani Warrington	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

Comments:

STRONG OPPOSITION to HB 1823 HD2

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, **testify in STRONG OPPOSITION to HB 1823 HD2.**

HB 1823 HD2 would decimate our fundamental coastal protection laws by exempting a range of development activities from special management area permit requirements without consideration for cumulative negative effect, especially concerning for our people in impacted areas who must have a say in the well-being of their communities.

Our special management area permitting processes provide a layer of review and oversight, including through public input, that can identify and mitigate the impacts of development activities on our cherished coastlines and nearshore areas. The voice of the People must not be silenced.

We must continue to save the few protections in place for our fragile coastal areas.

Mai huli kua i ke kai. Do not turn your back to the rising seas.

Sink HB 1823 HD2.



Date of Hearing: March 23, 2026

To: Chair Lee, Vice Chair Inouye, and the Senate Committee on Water, Land, Culture and the Arts

Subject: **HB1823 HD2**, Relating to the Coastal Zone Management Act

Aloha,

Hawai'i Food+ Policy **supports** HB1823 HD2 for its effort to clarify coastal permitting requirements. At the same time, we **strongly recommend safeguards** to ensure that streamlined permitting does not weaken environmental protections for public trust resources that sustain local food practices.

We strongly support the intent to exempt Hawaiian traditional and customary practices from unnecessary permitting burdens. We affirm the importance of exempting loko i'a and other traditional Hawaiian fishpond systems from special management area permit requirements.

We strongly recommend the inclusion of safeguards to ensure that efforts to streamline permitting do not unintentionally weaken environmental protections for public trust resources that sustain local food practices. Healthy nearshore ecosystems are foundational to Hawai'i's food system. They support subsistence and small-scale fisheries, limu beds, marine biodiversity, and the ecological conditions necessary for both traditional and contemporary food practices to thrive. Therefore, we urge the JHA Committee to clarify that the exemptions outlined in Section 2(2) do not apply where activities may result in significant or cumulatively significant negative impacts on nearshore water quality, wetland or estuarine ecosystems, subsistence fishing, or other customary uses.

We note that certain infrastructure categories listed in Section 2(2), including new roadway construction under subsection (X), can have significant potential to disrupt dune formation and health¹ and negatively impact the habitats and nesting behaviours of our near-shore birds and sea turtles^{2,3}.

These amendments would help balance administrative efficiency with Hawai'i's long-standing commitments to environmental stewardship, cultural continuity, and food system resilience. For these reasons, Hawai'i Food+ Policy respectfully **urges the committee to pass HB 1823 HD2 with amendments that include clear safeguards for coastal ecosystems, subsistence practices, and customary uses.**

Mahalo,
Brandon Kinard & the Food+ Policy Team
#fixourfoodsystem

[1] Nicholas Institute for Energy, Environment & Sustainability. (2023). Coastal habitats: 5. Dune restoration (Department of the Interior Nature-Based Solutions Roadmap strategy). Duke University.
https://nicholasinstitute.duke.edu/sites/default/files/project/nature-based-solutions-roadmap/strategy/doi-nbs-roadmap-strategy_dune-restoration.pdf

[2] Nahvi, N., Fuiman, L., Lechuga, V., & Fuiman, B. (2021). Influence of environmental and anthropogenic acoustic cues in sea-finding of hatchling leatherback (*Dermochelys coriacea*) sea turtles. PLOS ONE, 16(7), e0253770.
<https://doi.org/10.1371/journal.pone.0253770>

[2] U.S. Marine Corps, Marine Corps Base Hawaii. (2019). Environmental assessment for shoreline stabilization at Puuloa Range Training Facility, Oahu, Hawaii: Appendices (PRTF Shoreline Stabilization EA Appendices).
https://www.mcbhawaii.marines.mil/Portals/114/WebDocuments/IEL/Environmental/Puuloa/PRTF_EA_Appendices2.pdf

The Food+ Policy internship develops student advocates who learn work skills while increasing civic engagement to become emerging leaders. We focus on good food systems policy because we see the importance and potential of the food system in combating climate change and increasing the health, equity, and resiliency of Hawai'i communities.

In 2026, the cohort of interns are undergraduate and graduate students and young professionals working in the food system. They are a mix of traditional and nontraditional students, including parents and veterans, who have backgrounds in education, farming, public health, nutrition, and Hawaiian culture.

HB-1823-HD-2

Submitted on: 3/22/2026 12:54:47 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition OPPOSES HB1823. The catastrophic. damage caused by the recent rain storms proves we need oversight on coastal development.

[HB1823 HD2](#) is a **BAD bill** which would decimate our fundamental coastal protection laws by exempting a range of development activities from special management area permit requirements, even if they may result in cumulative impacts, and/or significant environmental and ecological effects on our coastal areas and nearshore waters.

Mahalo for your time.

LATE

HB-1823-HD-2

Submitted on: 3/22/2026 1:07:32 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
laurel brier	Testifying for Kauai Climate Action Coalition	Oppose	Written Testimony Only

Comments:

MAINTAIN our coastal protections as we face greater dangers from sea level rise. STRONG OPPOSE to HB1823 which erodes coastal protections

March 23, 2026, 1:05 p.m.
Hawaii State Capitol
Conference Room 224 and Videoconference

LATE

To: Senate Committee on Water, Land, Culture and the Arts
Sen. Chris Lee, Chair
Sen. Lorraine R. Inouye, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB1823 HD2 — RELATING TO THE COASTAL ZONE MANAGEMENT ACT

Aloha Chair, Vice Chair and other Committee Members,

The Grassroot Institute of Hawaii **supports** [HB1823 HD2](#), which would exempt certain state and county infrastructure improvements from the state's Special Management Area rules and specify that certain activities should be exempt from SMA use permit requirements.

This legislation could speed up the delivery of critical infrastructure projects and reduce taxpayer costs associated with those projects.

Specifically, the bill would exempt road, bridge, wastewater, drainage and other publicly funded projects that comply with the applicable county's community plan from the requirement to obtain an SMA use permit.

These use permits often take six months to a year to process,¹ and each county requires a public hearing and vote by either a planning commission or a county council, which introduces uncertainty to every project.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ "[Shoreline SMA](#)," Shoreline Consulting, accessed Jan. 23, 2026.



SIERRA CLUB
OF HAWAII

SENATE COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

March 23, 2026

1:05 PM

Conference Room 224

In OPPOSITION to HB1823 HD4: RELATING TO THE COASTAL ZONE MANAGEMENT ACT

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

On behalf of our more than 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES** HB1823 HD2, which takes a bulldozer to our Coastal Zone Management Act (CZMA) and its protections of our beaches, coastal areas, and nearshore waters.

Recent events have highlighted the longstanding consequences of poorly planned coastal development: vanishing beaches; flooded communities; properties and roads collapsing into the ocean; limu beds and other marine habitat lost to contaminated runoff or groundwater flow; cultural, subsistence, recreational, and even commercial activities dependent on coastal ecosystems curtailed or eliminated. With the realities of climate destabilization, along with a continuously increasing population across our islands, we must be more, not less, mindful of how coastal development may further exacerbate the harms we have already inflicted on our fragile but vital coastlines and coastal areas – if not for ourselves, then for the well-being and resilience of our future generations.

Rather than ensure more careful and prudent planning in coastal development, this measure does the exact opposite. First, it would allow taxpayer-funded infrastructure development projects, unilaterally declared by their agency proponents as exempt from environmental review or likely to have no significant impact, to be excluded from the definition of “development” under the CZMA. As originally drafted, this would have excused such projects from having to comply with the careful planning and public notice and input requirements of a special management area (SMA) permit – unless a county permitting authority determines there would be a cumulative impact, or significant environmental or ecological effect on the SMA.

However, the latest draft of this measure appears to remove this latter, catchall safeguard for all activities defined as exempt from the definition of “development.” By saying all listed activities “should” be excused from SMA permit requirements, this measure would allow such activities to avoid current SMA permit requirements even if they would lead to severe impacts or effects. **Infrastructure projects, construction or reconstruction of single-family residences, demolition activities, and a range of other activities that would normally have to obtain an SMA permit due to their potential impacts to our coastal areas, beaches, and nearshore waters, would no longer be required to do so.** The consequences of such a policy on our coastal areas may be devastating, and irreparable.



SIERRA CLUB
OF HAWAI'I

We must not turn our back to our rising seas, as this bill proposes to do. The Sierra Club therefore respectfully but strongly urges the Committee to **HOLD** this measure. Mahalo nui for the opportunity to testify.

LATE

HB-1823-HD-2

Submitted on: 3/22/2026 11:13:34 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice K T Shiira	Testifying for Shimanchu Mamuyaa	Oppose	Written Testimony Only

Comments:

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HB-1823-HD-2

Submitted on: 3/20/2026 8:04:02 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I am writing in **strong opposition** to HB1823, a measure that would carve out sweeping exemptions from Special Management Area (SMA) permit requirements for taxpayer-funded infrastructure projects and other activities.

In an era of rising seas, vanishing beaches, and mounting evidence of the consequences of poorly planned coastal development, this bill moves us in exactly the wrong direction. Rather than ensuring more careful and prudent planning, it strips away the very safeguards that protect our fragile coastlines.

The Lessons of Recent Years Are Clear

Recent events have laid bare the longstanding consequences of poorly planned coastal development across our islands: beaches disappearing, properties and roads collapsing into the ocean, limu beds and marine habitat lost to contaminated runoff, and cultural, subsistence, and recreational activities dependent on coastal ecosystems curtailed or eliminated.

We have watched as seawalls accelerate beach erosion. We have seen the damage caused by unchecked runoff pouring into nearshore waters. We have witnessed the loss of access to fishing grounds, gathering areas, and places of cultural significance. These are not abstract concerns—they are the lived reality of communities across Hawai‘i.

With the realities of climate destabilization, we must be more—not less—mindful of how coastal development may further exacerbate the harms we have already inflicted on our fragile coastlines. If not for ourselves, then for the well-being and resilience of future generations, we must strengthen—not weaken—our coastal protections.

What HB1823 HD2 Does—And Why It Is Even More Dangerous

This bill is a direct assault on the careful planning and public input requirements of the Coastal Zone Management Act. It would allow taxpayer-funded infrastructure projects—unilaterally declared by their agency proponents as exempt from environmental review or likely to have no significant impact—to be excluded from the definition of "development" under the CZMA.

The HD2 version of this bill represents an even more sweeping erosion of coastal protections than its predecessors. While the original bill carved out exemptions for certain federally, state, or county-funded infrastructure projects, HD2 expands the list of activities exempt from SMA permit requirements to include:

- **Emergency repairs to public or private property** without any meaningful threshold or oversight;
- **Reconstruction or repair of single-family dwellings**, regardless of their location or vulnerability;
- **Demolition activities** that could release sediment, contaminants, or debris into nearshore waters; and
- **Routine maintenance activities** defined so broadly that they could encompass major alterations.

Critically, HD2 removes any meaningful oversight mechanism. Under previous drafts, there was at least a catchall provision allowing county permitting authorities to require review if a project would have cumulative impacts or significant environmental effects. HD2 eliminates that safeguard entirely.

What this means in practice is that a property owner could demolish an existing structure on a coastal lot, reconstruct a larger dwelling, and perform "routine maintenance" on shoreline hardening—all without ever obtaining an SMA permit or providing any opportunity for public input. A county agency could perform "emergency repairs" that fundamentally alter the shoreline, with no independent review of whether those repairs are truly necessary or whether alternative approaches would be less damaging.

The cumulative effect is a wholesale dismantling of the very framework that has protected Hawai'i's coastlines for decades. Projects that would normally require careful review, public notice, and demonstrated compliance with coastal zone management objectives would instead proceed with no oversight at all.

The Consequences Will Be Devastating and Irreparable

This is not streamlining—it is abandonment. And the consequences on our coastal areas, beaches, and nearshore waters will be devastating and irreparable.

A state agency could declare its own project exempt from environmental review, determine that it will have no significant impact, and proceed with coastal construction without any meaningful public input or independent oversight. The very projects most likely to affect our coastlines would bypass the very process designed to protect them.

We have seen what happens when coastal development proceeds without adequate review. We have watched as poorly sited structures are undermined by erosion, as seawalls accelerate beach loss, as runoff from development smothers coral reefs. These harms are not theoretical. They are happening now. HB1823 would make them worse.

We Must Turn Toward Our Rising Seas, Not Away

We cannot turn our backs on our rising seas. The careful planning and public input required by SMA permits are not unnecessary burdens; they are essential safeguards. The coastlines that sustain us—ecologically, culturally, and economically—deserve better.

HB1823 represents a dangerous retreat from Hawai‘i's long-standing commitment to coastal protection. It would eliminate meaningful oversight of taxpayer-funded projects, remove public input from decisions that affect our most precious natural resources, and accelerate the very harms that have already done so much damage to our coastlines.

I urge this committee to **defer this measure** and to reject any attempt to weaken the coastal protections that have served Hawai‘i for decades.

Mahalo for the opportunity to testify.

Douglas Meller
2615 Aaliamanu Place
Honolulu, Hawaii 96813
douglasmeller@gmail.com

Testimony Opposing HB 1823, HD2 Relating to the Coastal Zone Management Act

Submitted to Senate Committee on Water, Land, Culture and the Arts
Monday, March 23, 2026, 1:05 PM Hearing in State Capitol Room 224

Please hold this bill - - or amend this bill to ensure that **public highway projects** do not incrementally prevent safe public access to the ocean or preclude public recreational use of public shoreline lands.

Sea level is rising, beaches and sedimentary shorelines are retreating, and waves are washing further inland. Sooner or later we will have to choose how to protect practically all of the State’s low-lying coastal highways. If the decision is left to the State DOT, then the DOT will incrementally construct revetments or other structures which prevent both safe public access to the ocean and public recreational use of public shoreline lands. And this is what Hawaii’s shoreline will look like makai of low-lying coastal highways.



SHORELINE REVETMENT PREVENTS SAFE PUBLIC OCEAN ACCESS AND RECREATIONAL USE

If county special management area use permits are a prerequisite for public highway projects which might adversely affect either public ocean access or public recreational use of shoreline lands, then §205A-2(c)(1), §205A-4(b), and §205A-26, Hawaii Revised Statutes, will require permit conditions to preserve safe public ocean access and space for public recreational use.

Although the DOT would be opposed, potentially this is what Hawaii's shoreline might look like makai of low-lying coastal highways.



SHORELINE REVETMENT RESERVES SPACE FOR LATERAL ACCESS AND RECREATIONAL USE



SHORELINE REVETMENT ALLOWS SAFE PUBLIC OCEAN ACCESS

HB-1823-HD-2

Submitted on: 3/21/2026 8:45:17 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Samuel M Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Please vote no on HB-1823 & SB123

Samuel Mitchell Makiki NB-10 & NARFE Hawaii

HB-1823-HD-2

Submitted on: 3/21/2026 8:59:55 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealii Pang, Ph.D.	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Kealii Pang, Ph.D., and I reside in Kaimukī, Hawai‘i. I am a retired federal biologist with 26 years of experience at the U.S. Fish and Wildlife Service, Pacific Islands Fish and Wildlife Office. I STRONGLY OPPOSE HB 1823 HD2.

This bill creates a new exemption from the definition of "development" that allows taxpayer-funded coastal projects to bypass Special Management Area permit requirements through self-declaration. SMA permitting exists precisely because our coastlines are dynamic, culturally irreplaceable, and ecologically fragile. Removing this layer of review removes the public's voice in decisions that directly affect our shorelines, nearshore fisheries, and the cultural practices that depend on them.

HD2 compounds this problem by extending exemptions to a broad range of activities under HRS §205A-22(2), including home construction, fencing, and structural reconstruction, regardless of their cumulative impacts on coastal areas. Sea level rise, storm surges, and king tides are already reshaping our shorelines. This is precisely the wrong time to reduce oversight of coastal development. The cumulative effects of individually minor activities are well-documented and real.

Please HOLD HB 1823 HD2.

Respectfully submitted,

Kealii Pang, Ph.D.

Kaimukī, Hawai‘i

HB-1823-HD-2

Submitted on: 3/21/2026 10:28:36 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Oppose	Written Testimony Only

Comments:

Aloha legislators,

Don't roll back special management area permitting! That' would be "fly now, pay later".

mahalo,

Cory Harden, Hilo

HB-1823-HD-2

Submitted on: 3/21/2026 10:45:35 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Bo Breda and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

Moreover, the current draft of this bill also seeks to exempt any of the activities listed in HRS §205A-22(2) - from home repair and construction, to fencing installation, to the reconstruction of outdated and potentially dangerous structures - from special management area permit requirements, even if they may threaten our shoreline and coastal areas with cumulative impacts or significant environmental and ecological effects. This is unacceptable, and will all but invite poor coastal planning and unintended consequences for our environment, cultural practices, human health and safety, recreational opportunities, and economic stability.

Our coastal areas are as fragile as they are important to our physical, cultural, ecological, recreational, and economic security and stability. Our special management area permitting processes accordingly provide a layer of review and oversight, including through public input, that can identify and mitigate the impacts of development activities on our cherished coastlines and nearshore areas. Special management area permitting should not be rolled back just to save a few weeks’ worth of time, when the consequences of doing so may last generations or longer.

Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,
Bo Breda

HB-1823-HD-2

Submitted on: 3/21/2026 10:53:05 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Peter Wilson and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Sincerely,
Peter Wilson

HB-1823-HD-2

Submitted on: 3/22/2026 2:11:27 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Christy Shaver	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Christy Shaver and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Sincerely,
Christy Shaver

HB-1823-HD-2

Submitted on: 3/22/2026 5:17:32 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jodi Rodar	Individual	Oppose	Written Testimony Only

Comments:

I oppose the National Park Service proposal that would rescind wildlife protection rules governing hunting practices in Alaska’s national preserves.

In particular, I strongly oppose allowing bear baiting on lands managed by the National Park Service. Bear baiting involves placing piles of human food in the environment to lure bears to predictable locations where they can be easily killed. This practice artificially manipulates wildlife behavior and encourages bears to associate human activity with food. It’s dangerous for people and deadly for bears.

Research shows that human food sources are one of the primary drivers of dangerous human-bear conflicts. Allowing baiting in areas managed by the National Park Service increases the risk that bears will become food-conditioned and approach campsites, trails, and other areas used by park visitors.

National parks and preserves should protect natural ecological processes, not facilitate practices designed to make killing predators easier. Allowing bait stations also undermines the National Park Service’s conservation mission and the public’s expectation that wildlife in national parks will be protected.

For these reasons, I urge the National Park Service to maintain the existing prohibition on bear baiting and other predator-killing practices in Alaska’s national preserves.

Thank you.

HB-1823-HD-2

Submitted on: 3/22/2026 6:49:43 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

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

Comments:

Strongly oppose

HB-1823-HD-2

Submitted on: 3/22/2026 8:25:15 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Kathryn Afable	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Mary Afable and I live in Hilo. I **strongly oppose HB1823 HD2.**

Our coastal areas are as fragile as they are important to our physical, cultural, ecological, recreational, and economic security and stability. Our special management area permitting processes accordingly provide a layer of review and oversight, including through public input, that can identify and mitigate the impacts of development activities on our cherished coastlines and nearshore areas. Special management area permitting should not be rolled back just to save a few weeks' worth of time, when the consequences of doing so may last generations or longer.

HB-1823-HD-2

Submitted on: 3/22/2026 9:47:44 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Kite	Individual	Oppose	Written Testimony Only

Comments:

My name is Richard kite and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,
Richard kite

HB-1823-HD-2

Submitted on: 3/22/2026 10:08:49 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica Kuzmier	Individual	Oppose	Written Testimony Only

Comments:

Aloha, I am writing in opposition to HB1823. I believe it strips too many protections away from our coastlines in these times of climate change just for the sake of expediency. Mahalo for your consideration.

HB-1823-HD-2

Submitted on: 3/22/2026 10:34:11 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Earl Kim	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Earl J. Kim and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,
Earl J. Kim

HB-1823-HD-2

Submitted on: 3/22/2026 10:36:54 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
ANDREW ISODA	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Andrew Isoda and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,
Andrew Isoda
Lahaina, Mau’i

HB-1823-HD-2

Submitted on: 3/22/2026 10:43:58 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale Evans	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Committee members.

My name is Dale Evans, and I write to **oppose** this measure. All development, public or private, should be subject to strict oversight and regulation, particularly in sensitive shoreline areas. I feel *strongly* about this because I lived through the opposition to the misguided effort by Honolulu City and County to develop an extensive sports theme park in Waimanalo. Fighting this project took an enormous amount of community time, effort, and finances by the Waimanalo community, and beyond. The eventual defeat of the project, in court, centered on the municipality's failure to conduct appropriate compliance with Special Management Area permit requirements. This measure would allow further misuse through avoidance of permit requirements, and the attendant need for community mobilization in opposition to activities that threaten harm to the 'aina. Please HOLD this measure.

HB-1823-HD-2

Submitted on: 3/22/2026 4:02:36 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleiheana-a-Pohaku Stormcrow	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Kaleiheana Stormcrow and **I STRONGLY OPPOSE** HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,
Kaleiheana Stormcrow

HB-1823-HD-2

Submitted on: 3/22/2026 4:08:26 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE

LATE



Hawaii's Thousand Friends

335 Hahani Street #342132 * Kailua, HI 96734 * Phone (808) 262-0682 * E-Mail: htf3000@gmail.com

March 23, 2026

COMMITTEE ON WATER, LAND, CULTURE AND THE ARTS

Senator Chris Lee, Chair
Senator Lorraine Inouye, Vice Chair
Members of the Committee

HB 1823 HD2
RELATING TO THE COASTAL ZONE MANAGEMENT ACT

Hawaii's Thousand Friends, a statewide non-profit water and land use planning organization dedicated to protecting the environment, human health, and cultural and natural resources opposes HB 1823 HD2, which streamlines certain projects within Hawaii's coastal zone

Hawaii's Coastal Zone Management Act (CZM) was established to comply with the federal Coastal Zone Management Act of 1972 and passed by the Legislature in 1977 to protect, restore, and enhance coastal ecosystems, including marine resources and open space, to protect and improve public access to the shoreline and to address the demands for residential, commercial, and industrial use in coastal areas.

Hawaii's Special Management Area permit was established in 1975 and known as the Environmental Shoreline Protection Act. It was later incorporated into the Coastal Zone Management Act, which was codified as HRS 205A in 1977 when the legislature found that special controls on development within an area along the shoreline were necessary and declared that it is the state policy to preserve, protect, and where possible, to restore the natural resources of the coastal zone.

Residents and leadership have long recognized the importance of protecting and conserving our coastal and marine resources but over the years oversight, protections and public involvement have either been weakened or eliminated.

Last year the legislature passed Act 125 which changed the dollar valuation required to obtain a Special Management Area Permit Minor from \$500,000 to \$750,000. This change means that an application for a SMA Minor permit, which requires only administrative approval and was designed for lower cost projects with minimal environmental impacts, will bypass greater scrutiny, public notification and involvement.

HB 1823 HD2 exempts wastewater facilities i.e. sewage treatment plants, water facilities, undefined in this bill but could mean *collection, treatment or distribution water systems, highway, roadway and bridge improvements* from Hawaii's Special Management Area Permit process.

Government funding does not make an action within the coastal zone less harmful to Hawaii's coastal and marine resources.

The Special Management Area Permit process is the way each county evaluates and diminishes project impacts on coastal and marine resources, sand erosion, impacts on archaeological and cultural resources, shorebird nesting, foraging and fledging, impacts of increased runoff from hardened surfaces, impacts to honu and `ilio holo I ka uua (monk seal which is federally protected), and `iwi, known and unknown.

In our island state, no point of land is more than 30 miles from the ocean ecosystems and are interrelated whole rather than by individual species, resources or uses. Thus, making comprehensive oversight of our coastal and marine resources even more critical.

As an island state that depends on our coastal resources, we should be advocating for caution rather than seeking exemptions.

We ask you to hold HB 1823 HD2 because it moves our islands backward and further away from the goals established by the Hawaii's Coastal Zone Management Act to *protect, restore, and enhance coastal ecosystems* and the Special Management Act to *preserve, protect, and where possible, to restore the natural resources of the coastal zone.*

HB-1823-HD-2

Submitted on: 3/22/2026 6:28:27 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Katherine Fryer	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1823 HD2, which would weaken our coastal protection laws by exempting a range of development activities from special management area permit requirements. Taxpayer-funded coastal development projects could proceed without environmental review, as could any of the activities listed in HRS §205A-22(2) – from constructing and remodeling homes, to building walls, to maintenance of existing structures even if they threaten our fragile coastal ecology or contribute to shoreline erosion.

Construction along beaches disrupts sand deposition and changes nearshore currents, causing rapid undercutting of sea walls and building foundations. Over the past 40 years I've watched Oahu's beaches shrinking and fragmenting as homeowners build retaining walls and extend their properties past the original vegetation line. I've seen buildings destabilized by shoreline hardening efforts that accelerate erosion rather than preventing it. HB1823 HD2 would encourage more shortsighted projects, with more damage both to coastlines and to offshore ecosystems. Polluted runoff from coastal construction harms marine life, and rapid erosion can smother coral reefs. We risk losing iconic places with great cultural, historical and ecological significance, which should be protected as public lands.

Healthy coastal environments provide an essential buffer zone between our communities and the sea. When coral reefs die or coastlines recede, tsunami and storm surge impacts can extend further inland. Sea level rise is already increasing these threats, and we must protect our coastal environments to ensure as much resilience as possible. Now is the time to enforce coastal protection laws, not gut them.

LATE

HB-1823-HD-2

Submitted on: 3/22/2026 7:20:22 PM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Dee Green	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1823 HD2 because it would create a sweeping exemption from the definition of “development,” allowing taxpayer-funded coastal projects to bypass environmental review and special management area permit requirements in some of our most sensitive and vulnerable shorelines. At a time of accelerating sea level rise, storm surge, king tides, and flooding, weakening oversight is both short-sighted and risky. The bill further expands exemptions to a wide range of activities under HRS §205A-22(2), from home construction and fencing to reconstruction of aging structures, even when these actions may contribute to cumulative or significant environmental harm. This rollback of established permitting safeguards would invite poor coastal planning and expose our environment, cultural practices, public health, recreation, and economy to lasting damage. Our coastal areas require careful stewardship, and the existing permitting process provides essential review, accountability, and public input that should not be sacrificed for minimal time savings. I respectfully urge that this measure be held.

David Kimo Frankel
1638-A Mikahala Way
Honolulu, HI 96816



March 23, 2026

TESTIMONY IN OPPOSITION TO HB 1823 HD2

Chair Lee and members of the Senate Committee on Water, Land and Culture and the Arts,

I oppose HB 1823.

HRS chapter 205A ensures public participation, balanced decisionmaking and implementation of enforceable conditions to mitigate environmental harms. HRS 1823 undermines those principles.

First, no one has provided any evidence that having government projects obtain a special management use (or minor) permit has caused any problems. There have been no reports – by the Legislative Reference Bureau, or the Office of Planning and Sustainable Development, or by anyone – that document the problems caused by having government projects obtain a special management use permit. Not a single example has been provided.

Second, despite the preamble in section 1 of the bill, this bill exempts both private and public projects from regulatory control. The word “authorized” includes all projects in the SMA. Any private project that gets any kind of permit, including a building permit, is “authorized.” So long as the word “authorized” remains in the bill, it includes all commercial projects.

Third, the term “improvement project” includes just about everything. This is not a bill that is limited to infrastructure.

Fourth, the effect of the bill is to exclude the public – your constituents – from participating in decisionmaking on projects that take place near the shoreline. There will be no opportunity for people to testify – or even write letters – regarding these projects. It is not uncommon for agencies to exempt projects from an environmental assessment. The Department of Transportation did it for the Superferry.

Fifth, it is through the SMA process that enforceable conditions can be imposed on projects. Without a permit issued pursuant to HRS chapter 205, there may be no way to mitigate the harm caused by these projects.

Finally, it not uncommon for government projects – although well intentioned – to cause environmental problems. Coastal highways have destroyed sandy beaches. Filled-in wetlands exacerbate flooding. Drainage projects can smother limu with polluted runoff. Building can block scenic vistas. Pipelines can uncover iwi. The nearly two dozen types of projects exempt from HRS chapter 205A are generally considered to have negligible effects on the environment. The exemption for all government projects is not comparable or warranted.

Aloha,

/s/ David Kimo Frankel

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

LATE

My name is U'ilani Naipo and I **STRONGLY OPPOSE** HB1823 HD2.

This bill's proposed new exemption from the definition of "development" would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

Moreover, the current draft of this bill also seeks to exempt any of the activities listed in HRS §205A-22(2) - from home repair and construction, to fencing installation, to the reconstruction of outdated and potentially dangerous structures - from special management area permit requirements, even if they may threaten our shoreline and coastal areas with cumulative impacts or significant environmental and ecological effects. This is unacceptable, and will all but invite poor coastal planning and unintended consequences for our environment, cultural practices, human health and safety, recreational opportunities, and economic stability.

Our coastal areas are as fragile as they are important to our physical, cultural, ecological, recreational, and economic security and stability. Our special management area permitting processes accordingly provide a layer of review and oversight, including through public input, that can identify and mitigate the impacts of development activities on our cherished coastlines and nearshore areas. Special management area permitting should not be rolled back just to save a few weeks' worth of time, when the consequences of doing so may last generations or longer.

Please do not turn our back to our rising seas. Please **HOLD** this misguided measure.

Sincerely,

U'ilani Naipo



HB-1823-HD-2

Submitted on: 3/22/2026 9:35:05 PM
Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Diane Ware and I STRONGLY OPPOSE HB1823 HD2.

This bill’s proposed new exemption from the definition of “development” would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Malama 'aina,

Diane Ware Volcano

LATE

HB-1823-HD-2

Submitted on: 3/23/2026 7:59:56 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise Boisvert	Individual	Oppose	Written Testimony Only

Comments:

This is a very bad bill that will set a very bad precedent.

One only needs to look around the coastlines of all the islands to see the bad decisions already made that have adversely affected the environment and nearshore waters - there is no need to continue the trend!

LATE

HB-1823-HD-2

Submitted on: 3/22/2026 11:35:58 PM
Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Kau'i Losalio	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1823 HD2 because it would decimate our fundamental coastal protection laws by exempting a range of development activities from special management area permit requirements. Coastal protection will help us mitigate continuing challenges presented by ongoing climate catastrophes.
me ka mana, Kau'i Young

LATE

HB-1823-HD-2

Submitted on: 3/23/2026 8:08:15 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Kim Jorgensen	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE THIS BILL.

Hasn't the state authorized enough damage over the decades to the islands' coastlines with unchecked development? It'll be like the Wild West with self-declarations of being exempt from environmental review!

LATE

HB-1823-HD-2

Submitted on: 3/23/2026 8:14:59 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Bianca Isaki	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members,

HB1823 is a BAD bill which would decimate our fundamental coastal protection laws by exempting a range of development activities from special management area permit requirements, even if they may result in cumulative impacts, and/or significant environmental and ecological effects on our coastal areas and nearshore waters.

Yours,

Bianca Isaki, Kane'ohe

LATE

HB-1823-HD-2

Submitted on: 3/23/2026 8:34:06 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Janine Dumaguin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Janine "Kara" Dumaguin and I STRONGLY OPPOSE HB1823 HD2.

This bill's proposed new exemption from the definition of "development" would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

Moreover, the current draft of this bill also seeks to exempt any of the activities listed in HRS §205A-22(2) - from home repair and construction, to fencing installation, to the reconstruction of outdated and potentially dangerous structures - from special management area permit requirements, even if they may threaten our shoreline and coastal areas with cumulative impacts or significant environmental and ecological effects. This is unacceptable, and will all but invite poor coastal planning and unintended consequences for our environment, cultural practices, human health and safety, recreational opportunities, and economic stability.

Our coastal areas are as fragile as they are important to our physical, cultural, ecological, recreational, and economic security and stability. Our special management area permitting processes accordingly provide a layer of review and oversight, including through public input, that can identify and mitigate the impacts of development activities on our cherished coastlines and nearshore areas. Special management area permitting should not be rolled back just to save a few weeks' worth of time, when the consequences of doing so may last generations or longer.

Please do not turn our back to our rising seas. Please HOLD this misguided measure.

Sincerely,

Janine K. Dumaguin

LATE

HB-1823-HD-2

Submitted on: 3/23/2026 8:45:50 AM

Testimony for WLA on 3/23/2026 1:05:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

Hello Chair Lee, Vice Chair Inouye, and members of the Committee,

My name is Nanea Lo and I STRONGLY OPPOSE HB1823 HD2.

This bill's proposed new exemption from the definition of "development" would allow short-sighted taxpayer-funded coastal development projects, self-declared as exempt from environmental review, to avoid special management area permit requirements. This is highly problematic at best, given the high variability and sensitivity of our coastal areas, shorelines, and nearshore waters that require heightened mindfulness and project planning, and especially with the increasingly harsh effects of sea level rise, storm surges, king tides, and unprecedented floods on our coastal areas and communities.

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Please do not turn our back to our rising seas. Please HOLD this misguided measure.

Me ke aloha 'āina,

Nanea Lo, 96826

Sierra Club of Hawai'i Member

Hawai'i Workers Center Board Member

Clean Elections Hawai'i Member

Honolulu Tenants Union Member

350 Hawai'i Member

Carbon Cashback Hawai'i Member

Hawai'i Tax Fairness Coalition Member