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District 7 - North Kona, South Kohala, North
Kohala

LEGISLATIVE UPDATE

Representative David A. Tarnas

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STRATEGIES FOR A SUSTAINABLE HAWAI'I

This session, the Hawai'i State Legislature is seeking to strengthen strategies to achieve a sustainable future for Hawai'i, including improving food security in our community, increasing clean renewable energy, and addressing critical issues relating to climate change and sea level rise adaptation. In this article, I'd like to focus on what the Legislature is doing to better integrate sustainability principles into our land use decision making, and to improve the ways in which Hawai'i is adapting to sea level rise.

Achieving an abundant and sustainable future for Hawai'i will require re-envisioning the State's institutional framework to better integrate sustainability principles into the organizational structure of state government, especially in planning, land use, environmental, and economic development programs. Improved collaboration between state agencies is necessary to achieve the State's sustainability goals and clean energy benchmarks. In addition, improved integration of land use planning and environmental policy decision-making will enhance state government agencies' ability to implement climate change adaptation measures to address sea level rise and more frequent and intense storm events, and climate change mitigation measures such as increasing clean energy production and reducing greenhouse gas emissions.

To begin to reshape and streamline our State agencies, the State House has been working on two measures, HB 1149 and HB 1318, which are still undergoing consideration at the Legislature. HB 1149 integrates the State Land Use Commission within a modified Office of Planning, to be renamed the Office of Planning and Sustainable Development (OPSD), and HB 1318 then transfers the Office of Environmental Quality Control into this new OPSD. Together, these bills consolidate all key decision-making and regulatory responsibility surrounding land use planning and permitting under one structure.

The Legislature is also working to address the significant issues of sea level rise and coastal erosion in our State. Last year, the Legislature approved Act 16, which protects beaches from erosion by placing stricter limitations on shoreline armoring where there are beaches and public access areas.

This session, we continue to address impacts of sea level rise with two bills - SB 474 and HB 243. SB 474 relates to private property transactions and requires realtors to disclose to potential buyers when the property they are considering is located within the Sea Level Rise Exposure Area. The bill also directs realtors, buyers and sellers to use the Hawai'i Sea Level Rise Viewer at www.pacioos.hawaii.edu/shoreline/slr-hawaii/ to identify parcels expected to be affected by sea level rise.

HB 243 addresses the impacts of sea level rise on public infrastructure by requiring each executive branch department to identify existing and planned facilities that are vulnerable to sea level rise, flooding impacts, and natural hazards; assess options to mitigate impacts of sea level rise to these facilities; improve interagency coordination for sea level rise adaptation, flooding and resilience; and submit annual reports on this work.

The Legislature is also interested in improving how DLNR issues permits for emergency shoreline erosion control measures. In too many cases, these emergency measures are left in place for years and do not effectively protect the shoreline. The sandbags used in these cases can deteriorate and fall apart, creating litter and debris, and potentially exacerbating erosion in the area. To address this issue, I introduced HB 246 to limit temporary shoreline protection structures approved under emergency permits to a maximum of three years, after which they need to be removed, unless the State approves them as a permanent structure. The Water and Land Committee deferred this bill after hearing testimony from DLNR about their plans to propose amended rules that will improve the way they issue permits for emergency shoreline erosion control measures. I will carefully monitor DLNR's work on this issue to make sure these proposed rules effectively address this situation.

At this time, the Legislature has not come to its final decision about these bills to better integrate sustainability principles into our land use and environmental decision-making and to improve how we adapt to sea level rise and reduce coastal erosion. I am hopeful that as the legislative session comes to an end, we will be able to find agreement between the House and Senate and take the necessary steps to address these important issues.

To learn more about the measures discussed in this article, please visit the Capitol website at www.capitol.hawaii.gov and follow directions to search for the measure status by bill number. For further assistance navigating the website, please visit the Public Access Room website at www.lrb.hawaii.gov/par/, email par@capitol.hawaii.gov, or call (808) 587-0478.

Your input is extremely important to me as we work together to address these issues affecting our community and state. If you have further questions, please reach out to me via email at reptarnas@capitol.hawaii.gov or by phone at (808) 586-8510. Another great way to stay informed is to subscribe to my e-newsletter at: bit.ly/reptarnas-signup. Please take care of each other and stay safe.

Mahalo,