

STAND. COM. REP. NO.

1040

Honolulu, Hawaii

March 3, 2017

RE: H.B. No. 437
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 437, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT,"

begs leave to report as follows:

The purpose of this measure is to prohibit variances for the installation of shoreline hardening structures that will artificially fix the shoreline, including a seawall, revetment, or groin, unless:

- (1) A public hearing is held;
- (2) The applicant demonstrates that the shoreline hardening structure is necessary to protect an existing legal object, structure, or activity from damage due to seawater inundation or shoreline erosion; and
- (3) No reasonable alternative locations exist outside of the shoreline area.

This measure also sets forth standards for determining whether a variance for a shoreline hardening structure should be approved.

HB437 HD2 HSCR JUD HMS 2017-2759



The Office of Planning, Office of Hawaiian Affairs, and Surfrider Foundation supported this measure. The Department of Transportation supported the intent of this measure. The Department of Land and Natural Resources, Mayor of Maui County, and Maui County Department of Planning provided comments on this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 437, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 437, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



SCOTT Y. NISHIMOTO, Chair



