A BILL FOR AN ACT

RELATING TO COASTAL EROSION PROACTIVE ADAPTATION PLAN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that the current reactive shoreline regulatory process has become a substantial time and cost burden and obstacle to the State, counties, and private land owners. Experiential observations over the past decade demonstrate that Hawaii's current reactive shoreline permit system has often become an obstacle to protecting, preserving, and restoring the State's shorelines and coastal ecosystems. As both a time and cost obstacle, this reactive permit system often significantly contributes to exacerbating shoreline erosion and coastal ecosystem degradation. The reactive permit process includes the environmental assessment planning process, as detailed in chapter 343, Hawaii Revised Statutes, completion of which is required prior to completing federal, state, and county permit applications. A coastal erosion proactive adaptation plan can overcome the negative impacts from Hawaii's reactive shoreline planning process and reactive shoreline permit system.
The legislature further finds that developing a framework for a Hawaii next generation coastal zone managers program will have two important outcomes. First, a sustainable jobs program for the islands' next generation of place-based coastal zone managers, based on experiential learning and environmental literacy, in all fields of coastal zone management, such as coastal geology, cultural resources, archaeology, ocean engineering, ecosystem services, water science, marine biology, watershed management, environmental planning, and marine education. Second, Hawaii will have a competent cadre of place-based experts with the knowledge, skills, and abilities to adequately understand and manage our growing coastal zone problems.

The legislature further finds that a coastal erosion proactive adaptation plan can fulfill identified state priorities. This initiative offers the State a programmatic framework to substantially achieve three of the Hawaii climate change mitigation and adaptation commission's 2017 recommendations, which are programmatic in nature:
(1) Recommendation #7: Develop significant and sustainable funding sources and incentives to support adaptation to sea level rise;

(2) Recommendation #8: Support research, assessment, and monitoring of coastal hazards and impacts to sea level rise; and

(3) Recommendation #9: Establish collaborative governance processes through the Hawaii climate change mitigation and adaptation commission that support a learning approach to sea level rise adaptation.

Additionally, this funding program proposal also addresses the first two management priorities from the statewide ocean resources management plan 2013, which is managed by the office of planning; mandated by chapter 205A, Hawaii Revised Statutes, relating to coastal zone management; and supported by the many state agencies that are signatories to the plan. These are:

(1) Management Priority #1: Appropriate Coastal Management; and

(2) Management Priority #2: Management of Coastal Hazards.

The purpose of this Act is to establish a coastal erosion proactive adaptation plan task force, with the assistance of an
advisory group and a consultation team, to develop a coastal 
erosion proactive adaptation plan to better mitigate impacts to 
the State's coastal zone caused by sea level rise and erosion.

SECTION 2. (a) There is established within the office of 
planning a coastal erosion proactive adaptation plan task force, 
to be supplemented by a plan advisory group composed of subject 
matter experts and sector representatives selected by the task 
force, which shall develop a coastal erosion proactive 
adaptation plan with recommendations and a set of clearly 
defined deliverables for streamlined and proactive shoreline 
permitting procedures to better mitigate impacts to the State's 
coastal zone caused by sea level rise and acute episodic 
erosion. The coastal erosion proactive adaptation plan shall be 
the product of documented data collection, research, and 
community input.

(b) The task force shall consist of the following members:

(1) The director of the office of planning, or the 
director’s designee, who shall serve as the chair;

(2) Two members of the office of planning staff to be 
selected by the director of the office of planning and 
designated as the secretarial resource persons;
provided that one of the two persons shall manage the budget and project plan;

(3) The chairperson of the board of land and natural resources or the chairperson’s designee;

(4) One member to be appointed by the director of the office of environmental quality control as the office's representative;

(5) Four members representing the planning departments from each county, to be appointed by the mayor of the county in which the agency is located; and

(6) At least two members representing the University of Hawaii system and two members representing the University of Hawaii sea grant college programs, to be selected by the president of the University of Hawaii system.

(c) Task force members shall recommend subject matter experts and sector representatives to voluntarily serve on the advisory group. The advisory group shall be composed of interested persons from sectors underrepresented by the task force, including members from the public, private, academic, and nonprofit sectors and other relevant organizations, as well as
community and next generation representatives. The advisory
group shall serve only in an expert and advisory capacity and
not in an oversight capacity. The advisory group shall have the
opportunity to have significant input to all aspects of the
tasks and deliverables that are part of the coastal erosion
proactive adaptation plan.

(d) The task force, with the advisory group, shall develop
a scope of work in order to engage and manage a team of
consultants, with appropriate expertise, to complete the
deliverables specified in subsection (h) as the content for
coastal erosion proactive adaptation plan.

(e) The task force shall meet quarterly with members of
the advisory group at a place and time to be determined by the
chair of the task force.

(f) The task force shall include in the coastal erosion
proactive adaptation plan detailed terms of reference for a
proactive planning process to preserve the State's remaining
coastal ecosystems while simultaneously protecting existing
threatened development from coastal erosion and to overcome the
following challenges:
(1) Hawaii's reactive, multi-jurisdictional regulatory permit system;

(2) Hawaii's reactive environmental assessment process;

and

(3) Hawaii's lack of local, place-based experts to adequately manage the State's coastal ecosystems.

(g) In carrying out its tasks, the task force shall study other states' similar proactive coastal planning systems that are currently in place in order to understand, document, and recommend options for a state-level, proactive, shoreline-planning regulatory process and program that will cut both the time and cost of coastal permits by approximately seventy-five per cent in order to protect at-risk and threatened shoreline development that was built thirty to fifty years ago. The new proactive planning process and anticipated e-Permit system shall comply with all environmental rules and best management practices now in place at the federal, state, and county levels in order to protect, preserve, and where possible, restore the State's shorelines and at-risk coastal ecosystems.

(h) In developing the coastal erosion proactive adaptation plan, the task force shall include the following deliverables:
(1) A database of advisory group members and meeting agendas with attendees and products presented listed, to include presentations and minutes from meetings which summarize findings, recommendations, and actions identified;

(2) The terms of reference for the implementation of a future program, which shall be named the Hawaii next generation coastal zone managers program;

(3) A shoreline adaptation e-Permit system strategic implementation plan, which includes an investigation of the applicability for adaptation in Hawaii of the state of Washington's joint aquatic resources permit application streamlined permit process;

(4) A draft multi-year education and outreach campaign strategy and database of stakeholders;

(5) A database of focus group and community meeting attendees and constituents, with meeting findings and recommendations reports for continued strategic engagement;

(6) A recommendations report for future funding for program implementation, which shall be based on
findings and outcomes from deliverables one through five, and shall include draft funding recommendations, and further legislation required to implement key components of the proposed Hawaii next generation coastal zone managers program;

(7) Procurement and tracking of travel funds to meet project requirements; provided that travel funds shall be allotted for both initial and follow-up focus group and community meetings throughout the State; and

(8) Records of procurement of funds and expenditures of local stipends related to community meetings, database of attendees, photo documentation, and meeting feedback form with collected comments. Stipends shall be provided to designated local community liaison personnel and local community leaders who are assigned to manage, set up, advertise, and communicate about community meetings; provided that at least two student or faculty representatives per community high school shall be invited to attend each of the community meetings; provided further that stipends shall not exceed $1,500 per individual and shall be provided to
not more than one individual per focus group meeting or community meeting.

(i) The task force shall develop the deliverables listed in subsection (h) based on a scope of work with tasks to include the following:

(1) Creation of a project advisory group;

(2) Convening of statewide focus group meetings and community meetings;

(3) Development of an education and outreach strategy to undertake two key initiatives:

(A) Development of a list of terms of reference for a statewide, proactive planning public-private partnership, to be named the Hawaii next generation coastal zone managers program; and

(B) Development of the framework for a shoreline adaptation e-Permit system; and

(4) Drafting and submission to the legislature of a recommendations report for future funding for program implementation.

(j) The task force shall submit the coastal erosion proactive adaptation plan, which shall include the deliverables
identified in subsection (h), findings, recommendations, and any proposed legislation to the legislature no later than November 15, 2020.

(k) The task force shall be dissolved on June 30, 2021.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $750,000 or so much thereof as may be necessary for fiscal year 2019-2020 to:

(1) Support the tasks, activities, and coastal erosion proactive adaptation plan development of the task force established pursuant to this Act; and

(2) Establish one full-time equivalent (1.0 FTE) position, exempt from chapter 76, Hawaii Revised Statutes, in the office of planning to administer the coastal erosion proactive adaptation plan task force.

The sum appropriated shall be expended by the office of planning for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2019.
Report Title:
Coastal Erosion; Shoreline; Permits; Next Generation Coastal Zone Managers Program; Task Force; Advisory Group; Appropriation

Description:
Establishes a Coastal Erosion Proactive Adaptation Plan Task Force, to be assisted by an Advisory Group, to develop a Coastal Erosion Proactive Adaptation Plan for streamlined and proactive shoreline permitting procedures that better mitigate impacts to Hawaii's coastal zone and lower the costs to public and private permit applicants. Appropriates funds to support the task force and establish one full-time equivalent (1.0 FTE) position in the Office of Planning to administer the coastal erosion proactive adaptation plan task force. (SD1)

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