SB 1343

RELATING TO COASTAL ZONE MANAGEMENT

Statement for

Senate Committee on

Planning, Land and Water Use Management

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By

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SB 1343 makes several significant changes to the Coastal Zone Management (CZM) program. It abolishes the exemption from the SMA permit procedure for single family dwellings (HRS 205A-22 (B) (i)). It extends the shoreline setback area to 150 feet in all districts other than urban (HRS 205-43). It provides for the development of beach stabilization districts to promote coordination among beach-front property owners in the prevention of coastal erosion. And, it requires the CZM office to monitor the CZM enforcement activities of state and county agencies.

Our statement on this bill does not represent an institutional position of the University of Hawaii.

The proposed changes to HRS 205A reflect some of the changes that were recommended as a consequence of the extensive CZM program analysis begun in August 1990. More than 25 meetings were held all over the state to identify perceived coastal problems, and to evaluate proposed problem mitigation strategies. Many of the problems and proposed solutions had to do with coastal erosion. The notion of a beach stabilization plan is to prevent the continued piecemeal "hardening" of the coastlines of the state. The emphasis throughout the program analysis has been on the development of coordinated solutions to coastal problems.

The establishment of shoreline stabilization districts by the counties is a particularly important component of SB 1343. This will provide the statutory basis for integrated planning of stabilization measures for
coastal resources and the mechanism by which funds can be obtained to implement those plans. In this regard we suggest that Section 3 of the bill be amended to include cost sharing provisions, perhaps analogous to City Improvement Districts. While it is likely that the beach front owner may be the primary beneficiary of coastal stabilization, it is also true that public access along the shoreline will be improved. Hence it seems only fair that the general public should share in the cost of coastal stabilization projects.

One of the more controversial points addressed by SB 1343 is the change in the shoreline setback. During the program analysis meetings, there was a great deal of discussion of variable setback lines for shoreline setbacks. However, variable setback lines were ultimately rejected on the grounds that the application of technical criteria to establish a line would take so long and result in so many appeals as to defeat the purpose of asserting state policy to increase setbacks now for erosion control, protection of scenic vistas, etc. One can argue that 150 feet is arbitrary. However, technical studies related to coastal processes have pointed to the 150 feet figure as being a minimum goal in terms of accommodating cyclic accretion and erosion patterns along unconsolidated shorelines.

SB 1343 reflects amendments developed only after extensive review, analysis, consultation and public meetings to identify and resolve very difficult coastal resource problems. We strongly support the intent of this bill.