

# Shorelines

VOLUME I, NUMBER 2

THE SHORELINE PROTECTION ALLIANCE

JULY, 1975

## SHORELINE BILL BECOMES LAW

### CITIZENS' COALITION PROVES EFFECTIVE

Persistent lobbying by a broad-based coalition of citizens prevailed over heavy opposition by construction and real estate interests when Governor Ariyoshi signed SB 42 into law as Act 176. The Act, a potentially effective version of the Council of Presidents' Shoreline Protection Bill, takes effect December 1, 1975.

Although less comprehensive than the Council of Presidents' bill, Act 176 provides citizens with new means for protecting vital shoreline areas. The bill may prove much stronger than many expect, particularly if backed by an active network of concerned citizens.



### SHORELINE PROTECTION ALLIANCE FORMED

The Shoreline Protection Alliance, a statewide organization, has been formed to help citizens enforce the shoreline protection measure passed by the 1975 Legislature, and to encourage effective citizen participation in the State's coastal zone management program.

SPA was founded by volunteers active in the Council of Presidents' campaign to enact the Shoreline Protection Bill, and replaces the Council's Shoreline Protection Committee.

The Alliance will operate as an independent non-profit corporation devoted to shoreline protection efforts, and building on the base of citizens and citizen groups which had been formed to campaign for the Shoreline Protection Bill.

### ◀ MALAEKAHANA - THE NEXT VICTORY?

Even before the shoreline bill had been passed, SPA members were engaged in efforts to preserve one of Oahu's prime beaches for use as a state park.

Through the timely actions of one SPA member, a chain of actions and events was triggered which may prove to be the citizens' next major victory for shoreline protection.

(More on the back cover...)

## HOW THE BILL WILL WORK:

- Special Management Areas extending a minimum of 100 yards inland from the shoreline will be established by the counties. Certain lands bordering on freshwater bodies of water such as Kawainui Swamp will also be included within the special management area.
- Special Management Area Authorities will be established within each county to establish the boundaries of the special management areas, and to issue permits regulating development and construction of structures within the special management areas.
- Permits will be required for specified types of development and construction within the special management areas. Single family residences are exempted unless part of a larger development. Developments which have received certain permits and approvals prior to December 1, 1975 are exempt.

Guidelines for approval of permits are spelled out in the bill. No developments are to be approved which would have any substantial adverse environmental or ecological effect, unless such effect would clearly be outweighed by public health and safety. The elimination of planning options, such as the use of an area for park or open space, is included as an adverse effect.

In addition, the Authority is permitted to attach terms and conditions to granting permits to ensure adequate access to public areas, reservation of public recreational areas and wildlife preserves, and adequate provisions for preservation of water quality.

- Public Hearings will be required for all proposed developments within the special management area which require a permit. Hearings are to be held in the county council district in which the development is proposed, in counties with county districts.
- Judicial Review will be available to any person aggrieved by the decision or action of a permit-granting authority.



Why Shoreline Protection? The need is illustrated dramatically at Leeward Coast. Several thousand residents petitioned for a beach park between Farrington Highway and the ocean, adjoining Waianae High School, which is just off the pictures to the right. The City-County "compromised" with the developer who wanted to develop the land. The developer was allowed to build the Makaha Surfside Condominiums, which create a 1,000-foot wall between the highway and the ocean and the



WHAT YOU CAN DO NOW

- . Monitor the county agencies responsible for implementing the bill.
- . Participate in the public hearings on adoption of special management area boundaries and the rules and regulations. Encourage counties to adopt flexible boundaries greater than the 100 yard minimum where appropriate. Urge strong rules and regulations without loopholes.
- . Learn the provisions of the shoreline bill and how it might apply to areas of concern to you. Learn about the coastal resources which need special care, and monitor developments proposed in shoreline areas containing such resources.
- . Document natural, cultural, scenic, or historic resources of the coastal areas with which you are familiar.
- . Contribute your knowledge and skills to the Shoreline Protection Alliance. Help us build up our inventory of shoreline resources, and our network of concerned citizens.
- . Join the Shoreline Protection Alliance and become a coast-watcher for the area of most concern to you. Contribute your time, energy, (and maybe a little money) to efforts to preserve Hawaii's precious shorelines for the enjoyment of future generations.

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KEEP ME ON YOUR MAILING LIST..... (cut along this line)

I WANT TO BE A REGULAR MEMBER. I ENCLOSE \$2.00 FOR MY ANNUAL MEMBERSHIP FEE.

In addition to \$2.00 I would like to contribute the enclosed \_\_\_\_\_ to help with your expenses.

Cannot contribute at this time, keep me on your mailing list!

COUNT ON ME.....

As a Coast Watcher...monitoring newspapers, agencies, watching for current hearings and issues happening now in my area.

As a Researcher...documenting existing zoning, reporting plans for development in my area.

As an Office Volunteer....willing to make phone calls, to maintain files, etc., as my time permits.

\_\_\_\_\_ name \_\_\_\_\_ address \_\_\_\_\_ zip code

\_\_\_\_\_ island and area \_\_\_\_\_ phone number(s)

MALAEKAHANA (Continued from page 1)

"On the northeast shore of Oahu lies one of the prettiest bays in all the world. On its shores is one of the longest, widest, most beautiful beaches in all Hawaii. The area is Malaekahana Bay -- a jewel..."

This is how Bud Smyser, Editor of the Honolulu Star-Bulletin, described Malaekahana in his editorial of June 26, 1975, in which he urged public purchase of the area for use as a park.

Construction of a several hundred unit cluster development had been slated for the area, but last-minute efforts by citizens, the Legislature, the Governor, the Mayor, and other officials offer hope that Malaekahana will become a state park rather than an exclusive residential development.

Timely action by an SPA member encouraged Senator Andy Anderson to seek and obtain a legislative appropriation for acquisition of Malaekahana during the 1975 session.

This appropriation, in turn, allowed the Governor, the Mayor, and others to request that pending agency actions on the cluster development be deferred. The governmental officials were strongly backed by calls and testimony from SPA, the Council of Presidents, and citizens at hearings before the Honolulu Planning Commission.

The achievement at Malaekahana demonstrates that the efforts of one person - perhaps you can be far-reaching, particularly when backed by a broad base of citizen groups able to bring pressure to bear on a specific issue.

Experience has shown that it is not wise to relax until victory has been finally and completely achieved. The victory at Malaekahana is not yet final. You can help by writing the Governor supporting purchase of the entire bay for a park. Send Senator Anderson a copy of your letter, along with thanks for his efforts in initiating the park acquisition.



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