STAND. COM. REP. NO. 2595

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 3033
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Water, Land, Culture and the Arts and Energy and Intergovernmental Affairs, to which was referred S.B. No. 3033 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

(1) Allow public petition to the Public Advisory Board for review of the integrity of beach structures; and

(2) Require the Office of Planning and Sustainable Development to request the applicable county agency to order the owner of any beach structure determined to be imminently threatened to resolve, mitigate, and plan for the harmful effects of the beach structure.

Your Committees received testimony in support of this measure from one member of the Maui County Council, Hawai‘i Ocean Legislative Task Force, Hawaii Reef and Ocean Coalition, Surfrider Foundation Hawai‘i Region, Hawai‘i Association for Marine Education and Research, and four individuals.

Your Committees received comments on this measure from the Office of Planning and Sustainable Development.

Your Committees find that accelerating coastal erosion, sea level rise, storm intensity, and high-energy wave events pose significant and increasing threats to structures along vulnerable shorelines in the State. Your Committees recognize that the members of the public who use public beaches for recreation are often highly aware of the condition of structures along the shoreline that are imminently threatened and can provide valuable insights to regulatory agencies to help avoid catastrophic collapse. This measure will leverage the proactive assessment of structure owners and the remedial action by agencies to prevent the dangers to health and safety from, and the economic costs of, the collapse of imminently threatened beach structures.

Your Committees acknowledge the concerns raised in testimony by the Office of Planning and Sustainable Development that the Public Advisory Board referenced in this measure is a volunteer group that does not possess the technical expertise required to assess the integrity of imminently threatened beach structures or to process petitions for the state or county governments. Additionally, this measure proposes making the Office the regulatory agency that is responsible for determining whether a beach structure is imminently threated and ordering county agencies to initiate enforcement actions, which are responsibilities that differ from the Office's planning and coordination purpose. Amendments to this measure are therefore necessary to address these concerns.

Accordingly, your Committees have amended this measure by:

(1) Replacing the Public Advisory Board with the Department of Land and Natural Resources as the entity to whom any person may submit a petition requesting a review of the integrity of a beach structure that appears imminently threatened;

(2) Replacing the Board with the Department of Land and Natural Resources as the entity that shall acknowledge in writing the receipt of any petition requesting a review of the integrity of a beach structure that appears imminently threatened, notify in writing the owner of the beach structure concerning the submission of the petition, and initiate a review of the integrity

of the beach structure within thirty days receipt of the petition;

(3) Identifying the Department of Land and Natural Resources as one recipient of the copy of each review of the integrity of a beach structure;

(4) Clarifying that the Department of Land and Natural Resources is the entity who determines if a beach structure is imminently threatened and who requests that the county agency order the owner of the imminently threatened beach structure to, as necessary, resolve the issue;

(5) Specifying that if the Department of Land and Natural Resources determines that a beach structure is imminently threatened the Department shall recommend rather than request that the county agency order the owner of the imminently threatened beach structure to, as necessary, resolve the issue;

(6) Inserting an effective date of July 1, 2050, to encourage further discussion; and

(7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees note that the substitution of the Department of Land and Natural Resources for the Public Advisory Board and the Lead Agency is a temporary placeholder for the appropriate agency. Accordingly, your Committee respectfully requests that subsequent Committees to which this measure is referred consider the appropriate agency, if any, with which to replace the Department.

As affirmed by the records of votes of the members of your Committees on Water, Land, Culture and the Arts and Energy and Intergovernmental Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3033, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3033, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Water, Land,
Culture and the Arts and Energy
and Intergovernmental Affairs,

and Intergovernmental Affairs,

GLENN WAKAI, Chair

CHRIS LEE, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, Culture and the Arts
WLA

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3033	WLA/EIG, JDC	2/17/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)				✓
CHANG, Stanley	✓			
LAMOSAO, Rachele	✓			
DECORTE, Samantha	✓			
TOTAL	4			1

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/21/26

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Energy and Intergovernmental Affairs
EIG

Bill / Resolution No.:*	Committee Referral:	Date:
SB3033	WLA/EIG, JDC	2/17/26

☐ The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
WAKAI, Glenn (C)	✓			
CHANG, Stanley (VC)	✓			
DECOITE, Lynn	✓			
RICHARDS, III, Herbert M. "Tim"		✓		
FEVELLA, Kurt	✓			
TOTAL	4	1		

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature: [signature]

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26