

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA
P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
RYAN K.P. KANAKA'OLE
FIRST DEPUTY
CIARA W.K. KAHAHANE
DEPUTY DIRECTOR - WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES
ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
RYAN K.P. KANAKA'OLE
Acting Chairperson**

**Before the Senate Committee on
JUDICIARY**

**Friday, February 27, 2026
10:30 AM
State Capitol, Conference Room 016**

**In consideration of
SENATE BILL 2363
RELATING TO THE COUNTIES**

Senate Bill 2363 would authorize the counties to temporarily or permanently restrict or close public access to county-controlled lands when necessary to protect public health, ensure public safety, or preserve natural or cultural resources. The measure provides the counties with flexibility to respond to hazardous conditions such as flooding, erosion, wildfire risk, and other threats, while also requiring reasonable public notice of any closure or restriction. **The Department of Land and Natural Resources (Department) supports this bill.**

The Department appreciates the intent of this measure to clarify county authority and provide an additional tool to manage public access during unsafe conditions. Ensuring that counties can act promptly to address hazards is important for protecting residents and visitors.

The Department respectfully defers to the counties regarding implementation and looks forward to continued coordination on matters involving public access and safety.

Mahalo for the opportunity to comment on this measure.

**DEPARTMENT OF THE PROSECUTING ATTORNEY
KA 'OIHANA O KA LOIO HO'OPI'I
CITY AND COUNTY OF HONOLULU**

ALII PLACE
1060 RICHARDS STREET • HONOLULU, HAWAII 96813
PHONE: (808) 768-7400 • FAX: (808) 768-7515 • WEBSITE: www.honoluluprosecutor.org

STEVEN S. ALM
PROSECUTING ATTORNEY
LOIO HO'OPI'I



THOMAS J. BRADY
FIRST DEPUTY PROSECUTING ATTORNEY
HOPE MUA LOIO HO'OPI'I

**THE HONORABLE KARL RHOADS, CHAIR
SENATE COMMITTEE ON JUDICIARY**

**Thirty-Third State Legislature
Regular Session of 2026
State of Hawai'i**

February 27, 2026

REGARDING S.B. 2363— RELATING TO THE COUNTIES

Chair Rhoads, Vice Chair Gabbard, and Members of the Senate Committee on Judiciary, the Department of the Prosecuting Attorney ("Department"), City and County of Honolulu, **supports** S.B. 2363. We appreciate the opportunity to testify on this matter.

The purpose of this measure is to authorize counties to regulate, restrict, or close public lands under their jurisdiction when necessary to protect public health and safety, or to preserve natural and cultural resources. The bill further clarifies that counties may establish ordinances regulating public access to streams, drainage ways, and storm drain systems.

I. Need for Local Authority to Protect Public Safety

County agencies frequently encounter situations where immediate action is required to keep the public safe—such as hazardous conditions, flooding, wildfire risks, landslides, erosion, or contamination. Without clear statutory authority, response efforts can be slowed by uncertainty, jurisdictional questions, or challenges to local authority.

This bill provides counties the explicit legal tools they need to act swiftly to protect residents and visitors.

II. Protection of Natural and Cultural Resources

Many county-managed lands contain culturally significant sites, fragile ecosystems, and natural resources that can be damaged by overuse, trespassing, illegal dumping, or unsafe activities. Allowing counties to temporarily or permanently restrict access when necessary ensures these spaces are preserved for future generations.

III. Clarity for Law Enforcement and Public Users

By defining “encumbered” and “unencumbered” county property and outlining specific forms of permissible closures or restrictions, the bill creates consistency and transparency. Clear notice requirements—such as signage or online posting—ensure members of the public understand when and why access is restricted.

Providing this clarity supports enforcement actions when necessary and protects both county employees and community members.

IV. Support for County Infrastructure and Drainage Systems

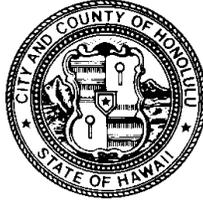
The inclusion of streams, drainage ways, and storm drain systems is especially important. Unauthorized entry into these systems poses major risks, including injuries, drownings, and interference with critical storm water infrastructure. This bill supports counties in preventing dangerous conduct and maintaining public safety and infrastructure integrity.

For these reasons, the Department respectfully **supports** the passage of S.B. 2363. Thank you for the opportunity to testify.

**DEPARTMENT OF FACILITY MAINTENANCE
KA 'OIHANA MĀLAMA HALE
CITY AND COUNTY OF HONOLULU**

1000 ULU'ŌHI'A STREET, SUITE 215, KAPOLEI, HAWAII 96707
PHONE: (808) 768-3343 • Fax: (808) 768-3381 • WEBSITE: honolulu.gov

RICK BLANGIARDI
MAYOR
MEIA



GENE C. ALBANO, P.E.
DIRECTOR AND CHIEF ENGINEER
PO'O A ME LUNA NUI 'ENEKINIA

WARREN K. MAMIZUKA
DEPUTY DIRECTOR
HOPE PO'O

February 25, 2026

IN REPLY REFER TO:
26-052

The Honorable Senator Karl Rhoads, Chair
The Honorable Senator Mike Gabbard, Vice Chair
and Members of the Committee on Judiciary
State Senate
415 South Beretania Street, Room 016
Honolulu, Hawai'i 96813

Dear Chair Rhoads, Vice Chair Gabbard, and Committee Members:

Subject: Testimony in Support of Senate Bill 2363

On behalf of the City and County of Honolulu, Department of Facility Maintenance, we strongly **support** SB2363 to restrict or close unencumbered public lands under County's jurisdiction when necessary to protect public health, ensure public safety, and preserve natural and cultural resources.

The Bill allows for the City and County of Honolulu the ability to post Closed Area signs at County streams and other public areas vulnerable to public access that pose a risk to the public. Risks may cause injuries including falls due to uneven terrain, drownings, and other hazards. Critical storm water infrastructure may also be jeopardized by the trash and debris brought into the areas not intended for public access leading to possible flooding and unhealthy runoff into the ocean.

Sincerely,

Gene C. Albano, P.E.
Director and Chief Engineer

SB-2363

Submitted on: 2/24/2026 9:45:11 PM

Testimony for JDC on 2/27/2026 10:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Johnnie-Mae L. Perry	Individual	Support	Written Testimony Only

Comments:

I, Johnnie-Mae L. Perry, Support

2363 SB RELATING TO THE COUNTIES.

INCLUDED AND NOT LIMITED TO BEACH PARKS