



April 6, 2026

House Committee on Judiciary and Hawaiian Affairs  
Hawai'i State Legislature  
Via Electronic Transmission

Re: Testimony in SUPPORT of SB3032 SD1 HD1, Relating to Beaches  
Hearing: Tuesday, April 7, 2026, 2:00 PM CR 325 & Via Videoconference

To: The Honorable Chair Tarnas, Vice Chair Poepoe, and Members of the Committee

**Surfrider Foundation Hawai'i Region strongly supports Senate Bill 3032 SD1 HD1**, which clarifies and strengthens enforcement of existing laws that prohibit the illegal removal or disturbance of sand from Hawai'i's public beaches.

Surfrider Foundation is a grassroots environmental organization dedicated to the protection of the world's oceans, waves, and beaches for all people. Through our chapters on Maui, Kaua'i, and O'ahu, we are regularly engaged in shoreline protection efforts and community advocacy, where we see firsthand how illegal sand removal, often undertaken in response to erosion pressures, accelerates beach loss and compromises public trust resources.

While existing Hawai'i law prohibits the unauthorized removal or disturbance of sand from public beaches, enforcement has been undermined by uncertainty over who may be held accountable when violations occur. Additionally, many homeowners and contractors do not fully understand that this work is regulated, and instead view it as routine or minor maintenance. In practice, responsibility for unauthorized sand adjustment has fallen primarily on homeowners, even when the physical removal of sand is carried out by licensed or unlicensed contractors. This has created an enforcement gap that allows contractors—the repeat actors with technical expertise and control over execution—to avoid direct accountability. In coastal erosion hotspots, such as the North Shore of O'ahu, this dynamic has contributed to recurring instances of unauthorized sand adjustment conducted by hired contractors to “shore up” private properties.

SB3032 fills this gap by explicitly clarifying that licensed and unlicensed contractors are included as “persons” subject to penalties for illegal sand removal. The bill does not change what activities are legal or illegal, nor does it expand or restrict existing regulatory or permitting authorities. Instead, it ensures that all parties involved in unauthorized sand removal are clearly accountable under the law.

This measure adds a critical prevention layer. When contractors face direct liability, they are far more likely to seek agency guidance, refuse illegal work and accurately inform homeowners about what is and is not allowed. This shifts enforcement from a reactive, complaint-driven system to one that better deters violations before irreversible harm to beaches occurs.

Illegal sand removal contributes to shoreline erosion, habitat degradation, and the loss of public beach access. SB3032 strengthens Hawai'i's ability to protect beaches by closing an enforcement gap and reinforcing accountability.

Thank you for the opportunity to submit testimony in strong support of SB3032 on behalf of Surfrider Foundation's three Hawai'i chapters and members statewide

Sincerely,

Hanna Lilley  
Hawai'i Regional Manager  
Surfrider Foundation

**SB-3032-HD-1**

Submitted on: 4/4/2026 12:04:20 AM

Testimony for JHA on 4/7/2026 2:00:00 PM

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

Comments:

I, Johnnie-Mae L. Perry, Support

3032 SB RELATING TO BEACHES

**SB-3032-HD-1**

Submitted on: 4/6/2026 8:41:58 AM

Testimony for JHA on 4/7/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denise E Antolini	Individual	Support	Remotely Via Zoom

Comments:

Aloha JHA Chair Tarnas, Vice Chair Poepoe, and Members,,

**I strongly support SB3032 SD1 HD1**, which clarifies that licensed and unlicensed contractors are "persons" who may be held responsible for illegally removing sand from our public beaches.

As a North Shore O‘ahu resident, I have been monitoring the severe beach erosion issues in the area known as Kammies at Sunset-Paumalū.

Over the years, I have received MANY reports of contractors or "workers" who have been hired by beachfront landowners to "shore up" their private property using public beach sand when no such permit has been issued by DLNR. I have seen some of this illegal sand "mining" myself.

Often the work is done after hours, sometimes in the dead of the night, to avoid detection. They use shovels, conveyor belts, even heavy equipment to move or push sand from public to private property. Besides being illegal, the work directly takes public property - precious beach sand - for private use.

But - so far - these "rogue" contractors/workers have evaded any responsibility for knowingly helping landowners violate our state laws protecting beach sand and shoreline ecosystems. They shrug off any questions and keep spreading the word that they will do the dirty work, for a high price.

Landowners in turn then shrug off responsibility - "oh, I didn‘t know what the contractor was doing" - "the contractor told me they had always done this - this was OK" - baloney.

This bill sends a strong message to contactors/workers who do the bidding of often wealthy offshore private landowner that they must insist on only doing \*legal/permitted\* projects or risk liability themselves.

When enacted, this bill will make fill an important gap in existing DLNR enforcement efforts and better protect our public trust resources.

Mahalo,

Denise Antolini

Pūpūkea resident

Member, Protect Paumalū

**SB-3032-HD-1**

Submitted on: 4/6/2026 10:28:38 PM

Testimony for JHA on 4/7/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Dadds, PA-C	Individual	Support	Written Testimony Only

Comments:

Across Hawai‘i, we are seeing an increase in sand movement along our shorelines, particularly following erosion events and high surf. In many cases, homeowners are hiring contractors to push, reshape, or relocate sand to protect their properties.

While this may seem like routine maintenance, beach sand is a protected public trust resource—and **there is a formal permit process required to move or alter it.**

- Altering sand typically requires approval through state and county permitting processes
- These reviews are in place to protect coastal processes, ecosystems, and public access
- However, many homeowners and contractors **do not realize this work is regulated**
- Because it can appear minor or temporary, it is often not viewed as a significant action

As a result, sand is being moved without proper authorization, sometimes unintentionally, leading to impacts on shoreline stability, reefs, and neighboring beaches.

**THE SOLUTION: S.B. 3032**

S.B. 3032 helps address this gap by clarifying that contractors, licensed or not, can be held accountable for illegal sand movement- currently it is just the homeowners.

- Reinforces that sand movement is not casual maintenance, but a regulated activity
- Encourages contractors to verify permits and follow proper processes
- Helps increase awareness among both contractors and property owners
- Strengthens enforcement by ensuring all parties involved are responsible

Hawai‘i’s beaches are dynamic systems that depend on natural sand movement. Even small, well-intentioned actions can disrupt these processes and have broader impacts on our coastlines and communities.

This bill helps ensure that shoreline work is done responsibly, through the proper channels, and with an understanding of its impacts.

Ryan Dadds