



March 3, 2026

Senate Committee on Judiciary
Hawai'i State Legislature
Via Electronic Transmission

Re: Testimony in SUPPORT of SB3032, Relating to Beaches
Hearing: Wednesday, March 4, 2026, 9:40AM CR 016 & Via Videoconference

To: The Honorable Chair Rhoads, Vice Chair Gabbard, and Members of the Committee

Surfrider Foundation Hawai'i Region strongly supports Senate Bill 3032, 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 removal or disturbance of sand from public beaches, enforcement has been undermined by uncertainty over who may be held accountable when violations occur. In practice, responsibility has often 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 illegal sand adjustment conducted by hired contractors.

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 permitting authorities. Instead, it ensures that everyone involved in illegal sand removal is 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, to 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-SD-1

Submitted on: 2/24/2026 6:06:22 PM

Testimony for JDC on 3/4/2026 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this bill. Mahalo.

SB-3032-SD-1

Submitted on: 2/25/2026 10:32:03 PM

Testimony for JDC on 3/4/2026 9:40:00 AM

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

Comments:

I, Johnnie-Mae L. Perry, Support

3032 SB RELATING TO BEACHES.

SB-3032-SD-1

Submitted on: 3/1/2026 9:10:28 PM

Testimony for JDC on 3/4/2026 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Denise E Antolini	Individual	Support	Written Testimony Only

Comments:

Aloha JDC Chair Rhoads, Vice Chair Gabbard, and Committee Members,

I strongly support SB3032 SD1, which clarifies that licensed and unlicensed contractors are "person" 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 as 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 a big gap in existing enforcement efforts and better protect our public trust resources.

And I do support SD1, with the amendments by the AG, which appropriately clarified the scope and intent of the original bill.

Mahalo,

Denise Antolini

Pūpūkea resident

Member, Protect Paumalū