

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

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
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  
WATER, LAND, CULTURE AND THE ARTS**

**Wednesday, February 18, 2026  
1:01 PM  
State Capitol, Conference Room 224**

**In consideration of  
SENATE BILL 3148  
RELATING TO THE USE OF PUBLIC LANDS**

Senate Bill 3148 amends Hawaii Revised Statutes(HRS) section 171-1 to include a new definition for “public uses” which means “the use of land by state agency, whether directly or through lease, land license, permit, or other agreement, in a manner that supports its functions that includes but shall not be limited to all uses described in HRS section 171-10.”. **The Department of Land and Natural Resources (Department) strongly supports this measure.**

The Board of Land and Natural Resources (Board) has an obligation to ensure that the use of public lands is consistent with the public trust. As part of that obligation, the Board must balance any proposed private use against a presumption in favor of public use. However, there is no definition of what constitutes "public use". As noted above, this measure seeks to define public uses as any use by an agency, either directly or through a disposition, that supports the agency's functions including but not limited to the uses described in HRS section 171-10. Such clarification is needed to dispel the assumption that public use of lands requires lands to be left vacant and undeveloped, solely for access and recreational purposes. There are numerous public uses of land that prohibit public access and recreation, such as airports, harbors, schools, hospitals and public housing. This measure seeks to clarify that uses beyond access and recreational purposes would be consistent with the public trust. Defining “public uses” in HRS section 171-1 will clarify that land dispositions that support functions of state agencies are consistent with purpose and intent of HRS chapter 171 and the public trust.

Mahalo for the opportunity to comment on this measure.



## TESTIMONY IN OPPOSITION TO SENATE BILL

3148

### RELATING TO THE USE OF PUBLIC LANDS

Ke Kōmike Kenekoa o ka Wai a me ka ‘Āina a me ka Mo‘omeheu a me ka Hana No‘eau  
(Senate Committee on Water, Land, and Culture and the Arts)

Ke Kapitala ‘o Hawai‘i  
(Hawai‘i State Capitol)

Pepeluali 18, 2026

1:01 PM

Lumi 224

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Aloha e Chair Lee, Vice Chair Inouye, and Members of the Committee on Water, Land, and Culture and the Arts:

The Office of Hawaiian Affairs (OHA) **OPPOSES** SB3148, which seeks to redefine “public uses” of our public land trust lands and resources to include patently nonpublic uses including sugarcane cultivation and industrial agriculture, commercial logging, mining, and hotel and resort uses of public beach lands. This effort to redefine public use is inconsistent with the constitutional public trust doctrine, Art XI, §1, controlling legal precedent, and common sense which requires that public uses of public lands—for access, recreation, and traditional and customary Native Hawaiian practices—receive priority over private, commercial uses.

The Department of Land and Natural Resources (DLNR) is bound by several constitutional provisions relating to the public trust in our lands, waters, and natural and cultural resources. These include but are not limited to Hawai‘i Constitution Art. XI Secs. 1, 6, and 7 (regarding the public trust in our natural and cultural resources, marine resources, and water resources) and Art. XII Sec. 7 (recognizing Native Hawaiian traditional and customary rights, a protected public trust purpose in various contexts). These provisions impose a duty on DLNR to ensure that our public trust resources are conserved and managed for the benefit of present and future generations, and safeguarded against deterioration or undue exploitation by private interests.

DLNR has a long history of abdicating these trust obligations as documented in Hawai‘i appellate court ruling overturning decisions supported by DLNR and ultimately approved by the Board of Land and Natural Resources (BLNR). Recent DLNR/BLNR

positions overturned in the courts include decisions to deny cultural practitioners procedural due process rights to challenge permit approvals<sup>1</sup> and allow the Kahala Hotel to exclude the public from public beaches for private profit.<sup>2</sup>

This measure would perpetuate this pattern of unconstitutional DLNR/BLNR decision making by codifying the practice of placing private interests over the public interest. The proposed statutory definition of “public uses,” with reference to HRS § 171-10, will allow DLNR to base its decision making on a presumption in favor of granting various private interests exclusive rights to public trust lands and resources, to the detriment of public access and use, Native Hawaiian traditional and customary practices, and other well established public trust uses and purposes. **Notably, this measure and HRS 171-10 would define “public uses” of public trust lands and resources as including sugarcane cultivation and industrial agriculture, commercial logging, mining, and hotel and resort uses of public beach lands,** to the exclusion of both Native Hawaiian cultural and subsistence practitioners and the general public – a patently absurd and unconstitutional outcome.

Not only is this bill’s attempt to favor private, commercial, and detrimental uses an open invitation for the effective and widespread privatization of our limited public trust lands and resources, but the clear conflict with constitutional provisions and decades of case law will only spawn costly and drawn out litigation, further diverting DLNR capacity and resources away from upholding its mission.

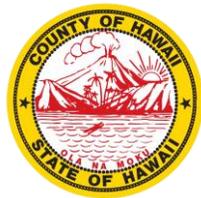
Accordingly, OHA urges the Committee to **HOLD** SB3148. Mahalo nui for the opportunity to testify.

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<sup>1</sup>*Mauna Kea Anaina Hou v. Bd. of Land & Nat. Res.*, 136 Haw. 376, 390, 363 P.3d 224, 238 (2015).

<sup>2</sup> *Frankel v. Bd. of Land & Nat. Res.*, 155 Haw. 358, 379 (App. 2025).

REBECCA VILLEGAS  
Council Member  
District 7, Central Kona



PHONE: (808) 323-4267  
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EMAIL: [Rebecca.villegas@hawaiicounty.gov](mailto:Rebecca.villegas@hawaiicounty.gov)

## HAWAI'I COUNTY COUNCIL

*West Hawai'i Civic Center, Bldg. A  
74-5044 Ane Keohokalole Hwy.  
Kailua-Kona, Hawai'i 96740*

February 17, 2026

TESTIMONY OF REBECCA VILLEGAS COUNCIL MEMBER,

HAWAI'I COUNTY COUNCIL

ON SB 3148 RELATING TO THE USE OF PUBLIC LANDS

SENATE COMMITTEE ON WATER, LAND, CULTURE, AND THE ARTS

Chair Lee, Vice Chair Inouye and Members of the Committee:

Thank you for the opportunity to testify in **opposition** to SB 3148 relating to the use of public lands. My testimony is submitted in my individual capacity as a member of the Hawai'i County Council.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS § 171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harm that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

*[Hawai'i County is an Equal Opportunity Provider and Employer.](#)*

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

A handwritten signature in black ink, appearing to read 'Rebecca Villegas', with a stylized, cursive script.

Rebecca Villegas  
Council Member, Hawai'i County Council



**LATE**

**Senate Committee on Water, Land, Culture and the Arts**

**Hawai'i Alliance for Progressive Action (HAPA) Opposes: SB 3148**

Wednesday, February 18th, 2026 1:01 p.m. Conference Room 224

Aloha Chair Lee, Vice Chair Inouye and Members of the Committee,

HAPA opposes SB3148 Bill which seeks to define public uses of public lands as uses by an agency either directly or through disposition, that support the agency's functions including but not limited to the uses described in section 171-10, HRS. This bill ignores the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience.

Please oppose SB3184. Mahalo for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Anne Frederick', is written below the text 'Respectfully,'.

Anne Frederick, Executive Director



**SENATE COMMITTEE ON WATER, LAND, AND CULTURE AND THE ARTS**

February 18, 2026

1:01 PM

Conference Room 224

**In OPPOSITION to SB3148: RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES**

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Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB3148**, which seeks to allow the Land Board to authorize the exclusive, private use of our public and "ceded" lands, including our culturally, recreationally, and economically vital public beaches, without any consideration of the impacts this may have on the public's use and enjoyment of such areas.

Per its justification sheet, this bill is a response to a 2025 Intermediate Court of Appeals ruling that reaffirmed the Land Board's duty to start with a presumption in favor of public use, access, and enjoyment of public lands and beaches prior to allowing the exclusive private use of such areas. The ruling did not foreclose leases or permits that might allow for exclusive uses of public lands, but simply required that the Land Board explicitly consider whether and how it may be appropriate to exclude the public from places like public beaches. **Rather than simply comply with this simple, common-sense ruling, the Department of Land and Natural Resources (DLNR) has now proposed to instead allow it and the Land Board to treat the exclusive, private hotel or resort use of public lands and beaches as a "public use," equal to or superseding the public's right to use, access, and enjoy these areas.** This attempt to fast-track the privatization of public lands and beaches without even a consideration of the public's actual use and enjoyment of these places flies in the face of the public trust doctrine, and decades of case law affirming the significant public interest in our shoreline areas.

**Sadly, this is far from the first time the DLNR has demonstrated its institutional inability to understand, much less carry out, its constitutional public trust duties, from its decades' long dereliction of the public trust and "ceded" lands in Pōhakuloa;<sup>1</sup> to its stubborn refusal to provide due process to East Maui cultural practitioners and farmers protected under the public trust in water;<sup>2</sup> to its efforts to prioritize the reopening of Hawai'i's waters to a defunct aquarium collection industry as our subsistence communities and coral reefs languish, waiting for much needed support;<sup>3</sup> among many, many other examples.**

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<sup>1</sup> Ching v. Case, 145 Hawai'i 148 (2019).

<sup>2</sup> See, e.g., Wayne Tanaka, [Sierra Club Appeals BLNR Unconstitutional Rejection of Due Process, Public Trust in East Maui](https://sierraclubhawaii.org/blog/east-maui-january-2026), MALAMA MONTHLY, January 2026, available at <https://sierraclubhawaii.org/blog/east-maui-january-2026>.

<sup>3</sup> Marcel Honoré, [Aquarium Fishing Could Return to Hawai'i Under New Rules](https://www.civilbeat.org/2025/10/aquarium-fishing-could-return-to-hawaii%CA%BBi-under-proposed-new-rules/), HONOLULU CIVIL BEAT, October 24, 2025 available at <https://www.civilbeat.org/2025/10/aquarium-fishing-could-return-to-hawaii%CA%BBi-under-proposed-new-rules/>.



# SIERRA CLUB

OF HAWAII

The intent and vision underlying this measure – to allow the Land Board to ignore impacts to public use and enjoyment of our public lands and shorelines in favor of private hotel and resort use - would invite violations of the public trust, lead to controversial proposals and costly litigation, and, if implemented, exclude the public from our beaches and other public lands for decades or generations at a time.

For the reasons described above, the Sierra Club respectfully urges the Committee to **HOLD** this measure. Mahalo nui for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:39:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dave Mulinix	Testifying for Greenpeace Hawaii	Oppose	Remotely Via Zoom

Comments:

Aloha Chair, Vice Chair & WLA Committee Members,

My name is Dave Mulinix, Co-Founder & Hawaii State Representative for Greenpeace Hawaii. On behalf of our thousands of members and supporters in the state of Hawaii we stand in **STRONG OPPOSITION** to SB3148 that Defines public uses of public lands as uses by an agency either directly or through disposition, that support the agency's functions including but not limited to the uses described in section 171-10, HRS.

This legislation would violate and nulify the "Public Trus Doctrine" enshrined in our Hawaii State Constitution that declares that all public natural resources are held in trust by the State for the benefit of the people. The doctrine underpins public access to beaches and shorelines, which are considered part of the public trust resources.and ensures that our shoreline is public property and cannot be privately owned.

Please vote in opposition to SB3148.

Mahalo,

Dave Mulinix

Co-Founder & Hawaii State Representative

Greenpeace Hawaii.

**SB-3148**

Submitted on: 2/16/2026 6:29:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John & Rita Shockley	Testifying for Free Access Coalition	Oppose	Written Testimony Only

Comments:

Aloha!

The Free Access Coalition strongly OPPOSES SB3148. We do not want the BLNR or any other agency to supercede the existing State Laws about free public access to Hawaii's shorelines.

Mahalo for your time.



**Senator Chris Lee, Chair**  
**Senator Lorraine R. Inouye, Vice Chair**  
Committee on Water, Land, Culture and the Arts

Wednesday, February 18, 2026  
1:01PM Conference Room 224

RE: SB3148 Public Lands and Public Trust Uses - Strong Opposition

Dear Chair Lee, Vice Chair Inouye, and Members of the Committee,

The Chamber of Sustainable Commerce, a statewide network of small businesses committed to a regenerative economy rooted in fairness, environmental stewardship, and community wellbeing, we respectfully submit testimony in **STRONG OPPOSITION** to SB3148. The Chamber of Sustainable Commerce represents more than 580 small businesses, sole proprietors and entrepreneurs across Hawai'i committed to a triple bottom line: people, planet and prosperity.

SB3148 proposes to redefine certain private, profit-driven activities – including hotel and resort uses – as equivalent to “public use” under the public trust doctrine. In doing so, it would create a favorable presumption for exclusive commercial leases of public lands, including beach areas, even where such uses restrict or exclude public access.

Hawai'i's public lands and beaches are shared economic infrastructure. The public trust doctrine requires that public lands be managed for the benefit of present and future generations. The 2025 Intermediate Court of Appeals ruling reaffirmed that the Land Board must begin with a presumption in favor of public use, access, and enjoyment before approving restrictions.

Rather than strengthening transparency and stewardship, SB3148 appears to weaken those protections by redefining private commercial use as inherently equivalent to public benefit.

From an environmental standpoint, long-term exclusive commercial control of shoreline and watershed areas also raises concerns about ecological degradation, habitat stress, and diminished community oversight. Stewardship thrives where communities maintain connection and access.

This measure is likely to generate legal uncertainty, constitutional challenges, and prolonged litigation. Regulatory instability creates risk – and small businesses bear that risk most acutely.

Our public lands are not simply real estate assets. They are cultural, ecological, and economic foundations.

[www.ChamberofSustainableCommerce.org](http://www.ChamberofSustainableCommerce.org)

## Hawaii Legislative Council Members

Joell Edwards  
Wainiha Country Market  
Hanalei

Russell Ruderman  
Island Naturals  
Hilo/Kona

Dr. Andrew Johnson  
Niko Niko Family Dentistry  
Honolulu

Robert H. Pahia  
Hawaii Taro Farm  
Wailuku

Maile Meyer  
Honolulu

Tina Wildberger  
Kihei Ice  
Kihei

L. Malu Shizue Miki  
Abundant Life Natural Foods  
Hilo

Chamber of  
Sustainable Commerce  
808.445.7606  
P.O. Box 22394  
Honolulu, HI 96823



Aloha Chair, Vice Chair, and Members of the Committee,

My name is Maki Morinoue, and I am in **strong opposition to SB3148**.

SB3148 attempts to redefine **private, exclusive hotel and resort uses of public lands and beaches as “public uses”** under the public trust doctrine. This is a dangerous distortion of the public trust and an unprecedented legal maneuver that would **legitimize the privatization of our public beaches**.

The public trust exists to **protect the people’s right to access, use, and enjoy Hawai‘i’s lands and waters—now and for generations to come**. SB3148 flips this principle on its head by granting private commercial interests a favorable presumption equal to—or even overriding—the public’s rights, even when those uses **exclude the public entirely**.

Calling exclusive resort control a “public use” does not make it so. Leasing public beaches to private entities for decades is not stewardship—it is **alienation**. This bill would allow DLNR, the very agency charged with safeguarding the public trust, to **abdicate its responsibility** and prioritize administrative convenience and private profit over constitutional obligations.

Hawai‘i’s beaches are not commodities. They are cultural, ecological, and communal spaces held in trust for all people. SB3148 would set a devastating precedent: that public trust protections can be rewritten to serve private interests, undermining Native Hawaiian rights, public access, and intergenerational equity.

Please do not allow the public trust to be hollowed out by legal redefinition. **Reject SB3148. Hold this bill. Protect our beaches and the rights of present and future generations.**

Mahalo nui loa for the opportunity to testify.

Maki Morinoue

HULI PAC, Hawai‘i Island



February 17, 2026

Committee on Water, Land, Culture, and the Arts  
Hawai'i State Capitol  
415 S Beretania St  
Honolulu, HI 96813

Dear Chair Lee, Vice Chair Inouye, and Members of the Committee,

Aloha, my name is Jonnetta Peters, Executive Director of Conservation Council for Hawai'i (CCH), a non-profit conservation organization whose mission is to protect and save native species and their habitat, with members locally and on the mainland. CCH is also the Hawai'i affiliate of the National Wildlife Federation, with 561 other US state and territorial affiliates. **CCH is STRONGLY OPPOSED to SB3148.**

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. **Please HOLD this terribly misguided measure.**

Mahalo nui for the opportunity to testify,

Jonnetta Peters  
Executive Director

**Telephone/Fax: 224.338-6511 | email: [info@conservehi.org](mailto:info@conservehi.org)**

**web: [www.conservehawaii.org](http://www.conservehawaii.org) | P.O. Box 2923, Honolulu, HI 96802**

**President: Bret Nainoa Mossman | Vice President: Les Welsh | Secretary: Colleen Heyer**

**Treasurer: Mashuri Waite, PhD |**

**Directors: Erica Amundson, Puanani Anderson-Fung, Maka'ala Ka'auomoana, Steven Lee Montgomery, PhD,  
Emily Sarasa |**

**Executive Director: Jonnetta "Jonee" Peters | Operations and Events Manager: Leah Kocher**

**National Wildlife Federation Region 12 Director: Rachel Sprague**

**National Wildlife Federation Pacific Region Associate Director: Emily Martin**

***Kō Hawai'i leo no nā holoholona lōhiu – Hawai'i's voice for wildlife | State Affiliate of the National Wildlife Federation***

**SB-3148**

Submitted on: 2/17/2026 6:15:31 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Nakoʻolani Warrington	Testifying for Kupuna for the Moopuna	Oppose	Written Testimony Only

Comments:

**STRONG OPPOSITION to SB 3148**

We, Kūpuna for the Mo‘opuna, a hui of Hawaiian Homes Commission Act kūpuna beneficiary farmers from Pana‘ewa, Hawai‘i, **testify in STRONG OPPOSITION to SB 3148.**

This terrible bill would justify the privatization of our public beaches as consistent with the public trust!

It is shocking to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

**Immediately NO to SB 3148.**

**SB-3148**

Submitted on: 2/17/2026 9:53:08 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Brandon Makaawaawa	Testifying for Nation of Hawai'i	Oppose	Written Testimony Only

Comments:

Strongly opposing SB3148

The Nation of Hawai'i is committed to restoring and preserving the political, economic, and social rights of Native Hawaiians, with a strong emphasis on communal land tenure, cultural stewardship, and self-determination. SB3148, which seeks to clarify the definition of “public uses” of public lands as those supporting agency functions, directly impacts the management and potential disposition of lands that are integral to Native Hawaiian identity, subsistence, and cultural continuity.

It is critical to acknowledge that the so-called “public lands” of Hawai'i are lands that were unlawfully taken from the Hawaiian Kingdom and later transferred to the State. The historical record—including federal acknowledgments such as the 1993 Apology Resolution—recognizes that Native Hawaiians were dispossessed of their national lands without consent or compensation. Any further disposition or repurposing of these lands, without centering Native Hawaiian rights and claims, perpetuates the ongoing harm of that dispossession and undermines genuine reconciliation.

While SB3148 may aim to clarify statutory language and streamline agency operations, the broad framing of “public uses,” particularly when encompassing agency dispositions, raises serious concerns. Historically, expansive interpretations of public land use have facilitated the alienation of lands central to Native Hawaiian cultural practice, burial sites, food systems, and the traditional ahupua'a model of communal stewardship. Without explicit limitations and safeguards, this bill risks reinforcing a system in which agency priorities override Native Hawaiian cultural, spiritual, and subsistence relationships to 'āina.

The Nation of Hawai'i is especially concerned that the bill could enable uses inconsistent with Native Hawaiian self-determination, environmental stewardship, affordable housing for

beneficiaries, and the protection of sacred and historical sites. True reconciliation requires more than administrative efficiency; it requires active protection of Native Hawaiian rights and a commitment to remedying past and ongoing injustices tied to land.

We respectfully recommend that SB3148 be amended to:

- Require meaningful, early, and ongoing consultation with Native Hawaiian organizations, beneficiaries, and cultural practitioners prior to any disposition or reclassification of public lands.
- Include explicit protections ensuring that no disposition infringes upon Native Hawaiian claims, cultural practices, burial grounds, or sites of historical and spiritual significance.
- Affirm that public land management must align with the State's trust obligations and its commitment to reconciliation and restorative justice.

Public lands in Hawai'i carry a unique historical and moral weight. Any statutory clarification must reflect that reality and ensure that further dispossession does not deepen the oppression of Native Hawaiians, but instead moves Hawai'i toward justice, equity, and meaningful reconciliation.

Aloha,

Brandon Maka'awa'awa

Vice President, Nation of Hawai'i

**SB-3148**

Submitted on: 2/17/2026 12:47:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Janice K T Shiira	Testifying for Shimanchu Mamuyaa	Oppose	Written Testimony Only

Comments:

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**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:33:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jim Albertini	Testifying for Malu 'Aina Center for Non-violent Education & Action	Oppose	Written Testimony Only

Comments:

Aloha Legislators,

This is a terrible bill. SB3148. To allow the Board of Land and Natural Resources to privatize beaches and other public lands without even considering impacts to public use, access, and enjoyment. What a disgrace. Reject this bill.

Jim Albertini. President of Mslu 'Aina

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:21:27 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Lenei Naipo	Testifying for 'Ahahui o Hawai'i	Oppose	Written Testimony Only

Comments:

Testimony of Nā Alaka'i o 'Ahahui o Hawai'i

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

We are the alaka'i of 'Ahahui o Hawai'i ("the Hui"), an organization of law student advocates at the William S. Richardson School of Law. For over 50 years, the Hui has advocated for Native Hawaiian justice in all areas of law, especially those affecting Native Hawaiian communities, traditional and customary practices, resource management, and environmental protection.

We **STRONGLY OPPOSED** SB3148. This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Aloha ‘Āina!

Nā Alaka‘i o ‘Ahahui o Hawai‘i

Nā Alaka‘i:

Kyle K. Moriguchi (‘26)

Bronson Gonzales (‘26)

Lenei Sousa Naipo (‘27)

Derek Kamakanaaloha Soong (‘27)

Ka‘ohi Gomera (‘27)

Kyson Kainalu James-Foree (‘27)

Justice Kaeo Castroverde-Moniz (‘27)

Taecia Kukui Akana (‘28)

Kalāmanamana Harman (‘28)

Sonny Dryden Kuehuikapono Seto Myers (‘28)

Kiana Kekoa (‘28)

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:37:24 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan B Roberts Emery	Testifying for Green Party of Hawai'i	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Sycan Roberts Emery, as Co Chair of the Green Party of Hawai'i, we write in recognition that we are on stolen land that were never given over to the occupation forces. We are **VERY STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to give our voices in Opposition!

Susan RobertsEmery  
Green Party of Hawai'i  
Paauilo

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:25:36 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
George Michael	Testifying for 360 Builders LLC.	Oppose	Written Testimony Only

Comments:

We are seeing the ramifications of consolidated wealth and ownership across the world- only the few benefit. This bill will open the gates to private ownership, all shores must remain public without exceptions.

**SB-3148**

Submitted on: 2/16/2026 10:51:34 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Roslyn Cummings	Testifying for Malama:Cummings 'Ohana God Trust	Oppose	Written Testimony Only

Comments:

Before SB3148 redefines private, exclusive commercial use of public lands as “public use,” we must acknowledge a foundational historical reality:

There was no bilateral treaty of cession transferring sovereignty or title from the Hawaiian Kingdom to the United States. Reference HRS 1-1 Continuity, Hawaiian Usage, HRS 7-1 gathering and access rights, HRS 172-11 LCA, Royal Patent, and Great Mahele (Crown, Government, and Konohiki), 172-12 protection of inherent rights vested by na kanaka, ho'oilina heirs, kanaka maoli, na kanaka. In Hawaiian kingdom law 1839 declaration of rights, 1840 kanawai, 1848 great mahele, 1849 treaty of commerce, navigations, and friendship between Hawaiian Kingdom and United States of America, 1850 Kuleana Act, 1859 civil codes, 1860 law of the sepulcher.

In 1898, annexation was carried out through a Joint Resolution of Congress.- evidence that no treaty of cession exists.

Under current U.S. doctrine, courts treat annexation as settled political law and decline to reopen the issue. That procedural posture does not erase the fact of law record; it simply limits judicial review.

SB3148 assumes unquestioned State authority over lands historically classified as Crown and Government lands. Yet the chain of transfer remains a matter of documented facts under rule of law, law of evidence, treaty law, trust law, common law, and equity.

Redefining private, profit-driven exclusion as “public use” compounds that unresolved foundation. Before expanding privatization authority over beaches and public lands, the Legislature should carefully consider:

- The historical origin of title
- The distinction between de facto administration and de jure sovereignty

- The long-term implications for future generations examining this record

Whatever one's position on sovereignty, the absence of a treaty of cession is a matter of fact.

Evidence- Provisional Government (1893) January 17, 1893 to

Republic of Hawai'i (1894–1898)

July 4, 1894

- Provisional Government reorganized as the Republic of Hawai'i.
- Constitution of the Republic adopted.

The Republic claimed sovereignty internally and was recognized diplomatically by several nations, including the United States. Key point: The Republic treated Crown and Government lands as public lands of the Republic.

Annexation to the United States (1898) Joint Resolution to Provide for Annexing the Hawaiian Islands Commonly called the Newlands Resolution

- Passed by U.S. Congress
- Signed by President McKinley
- July 7, 1898
- 30 Stat. 750

Important:

This was not a bilateral treaty ratified by two sovereigns. It was a joint resolution of the U.S. Congress.

Organic Act (Territory of Hawai'i) Hawaiian Organic Act

- April 30, 1900
- 31 Stat. 141

This act:

- Created the Territory of Hawai'i.
- Transferred former Republic public lands to the United States.
- Placed them under federal control.

This is when “ceded lands” became U.S. public lands administered by the territorial government.

## Admission Act

- March 18, 1959
- Public Law 86-3
- 73 Stat. 4

## Ratified by plebiscite:

- June 27, 1959 (Statehood vote)
- Statehood effective August 21, 1959

## Under Section 5(b) of the Admission Act:

Certain public lands were granted to the State of Hawai‘i to be held in trust for specific purposes.

## Hawaiian Kingdom

- Overthrow (1893)
- Provisional Government (1893–1894)
- Republic of Hawai‘i (1894–1898)
- Joint Resolution of Annexation (1898)
- Organic Act (1900) – Territory created
- Admission Act (1959) – Statehood

## The Great Māhele distinguished:

- Crown Lands
- Government Lands
- Private Konohiki Lands
- (Later) Kuleana Lands

It extinguished traditional tenure and converted land to titled property.

It did not distinguish “Hawaiian Kingdom lands vs United States lands” because the United States had no sovereignty over Hawai‘i in 1848.

“This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land...”

Treaty is LAW.

Public Law 103–150 (1993)

- Acknowledges that the overthrow of Queen Lili‘uokalani in 1893 occurred with the participation of U.S. agents.
- Acknowledges that Native Hawaiians never directly relinquished claims to their inherent sovereignty or national lands to the United States.
- Offers an apology for the overthrow and its consequences.

“never directly relinquished their claims to their inherent sovereignty as a people or over their national lands to the United States...”

A Treaty of Cession Is Bilateral

A treaty:

- Is negotiated between two sovereigns.
- Is signed by both.
- Is ratified by both.
- Becomes binding under international law.

When the U.S. acquired:

- Louisiana (1803),
- Alaska (1867),
- Large parts of the Southwest (1848),

it used treaties.

Those treaties:

- Explicitly described territory.
- Transferred sovereignty.
- Transferred public lands.
- Provided international legitimacy.

There's no ambiguity. That's why a treaty matters — it creates a documented, mutual, internationally recognized transfer.

In 1898, under prevailing law, could domestic legislation lawfully annex a recognized sovereign absent a bilateral treaty?"

Public Law 103-150 acknowledges:

Native Hawaiians never directly relinquished their claims to inherent sovereignty or national lands.

But:

- The 1898 Joint Resolution treats sovereignty as transferred.
- The 1900 Organic Act assumes full U.S. sovereignty.
- The 1959 Admission Act assumes complete federal title.

The ambiguity:

If sovereignty was never directly relinquished by the people,

by what precise lawful mechanism was it divested

Courts answer:

Recognition + consent of the Republic + continuous control.

Critics answer:

No bilateral treaty = no lawful divestiture.

Private fee-simple lands were not transferred as public domain.

The ambiguity lies in:

- Whether former Crown lands were truly public lands of the Republic
- Or whether they were trust-like lands attached to sovereign office

If they were sovereign trust lands, divestiture requires sovereign continuity.

That's where trust law arguments intersect.

Hawaiian Kingdom treaties were never formally terminated by treaty of cession, the ambiguity is:

Were those treaties extinguished automatically by annexation?

Or do they persist in some dormant form? U.S. doctrine says merger extinguishes them.

But the absence of a formal bilateral termination creates a fact of reserved rights, on the record for the record.

To future generations "never give up"

Roslyn Cummings



**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:34:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaitlyn-Teige Kaimikaua	Testifying for Na Wahine Ko'i	Oppose	Remotely Via Zoom

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kaitlyn-Teige Kaimikaua and I am **STRONGLY OPPOSED** to SB3148.

The Department of Land and Natural Resources(DLNR), has proven their irresponsible behavior by executing dire decisions without adequate oversight. Their trust with the public is broken, as the Board Members judgement lead to the further separation of Hawai'i's democracy. As you may know, the Kingdom of Hawai'i was illegally overthrown— being recognized as an independent nation and seized with no treaty. Leaving our people with what little rights left— access to public beaches is one. If you grew up in Hawai'i, then you know what family gatherings, fishing, shelling, surfing, etc. at the beach mean to the identity of local/ Hawaiian culture. It's disheartening to see how rapidly Hawai'i has changed in the past six years alone, prioritizing wealthy transplants, over our own people. The SB3148 proposal is completely unlawful.

As described in this measure's justification sheet

([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kaitlyn-Teige Kaimikaua



## HUI MAKA'ĀINANA O MAKANA

*The Hui Maka'āinana o Makana is a non-profit organization dedicated to perpetuating and teaching the skills, knowledge, and practices of our kūpuna (ancestors) through the interpretation, restoration, care, and protection of natural and cultural resources in Hā'ena, Kaua'i.*

**LATE**

2/17/2026

**RE: public lands - including beaches - to be leased or otherwise used exclusively by private entities like hotels and resorts, without any consideration of potential impacts to public use, access, or enjoyment**

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

*Mahalo for the opportunity to submit testimony late, I think this is incredibly important in the context of our work.* I am Billy Kinney, and I am testifying on behalf of the Hui Maka'āinana o Makana (the Hui), a nonprofit established in 1998 to support the care and management of Hā'ena State Park (HSP). Dedicated to the skills, knowledge, and the practices of our ancestors the Hui has been collaborating with State Parks to restore, care for, and protect the lands of HSP. The Hui has been instrumental in shaping what collaborative care and co-management looks like in Hawai'i: since the late 90's the Hui has worked closely with State Parks to steward HSP via curatorship, the Hui has created important management schema with the Division of Aquatic Resources and DOCARE establishing the first CBSFA with a management plan and rules package in 2015, and; the Hui would also go on care for the state park, including its beaches, through a regenerative, community-led, collaborative management access model since 2019 with DLNR, State Parks, and other agencies. The Hui is a staunch advocate for, not only Hā'ena's important resources, but public resources that belong to all of us – and that the State has a fiduciary duty to protect for future generations.

**The Hui is STRONGLY OPPOSED to SB3148.**

This bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust. Essentially, diluting and disempowering the Public Trust – a trust which dates back to the brilliance of our kūpuna and the Kingdom of Hawai'i.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a



## HUI MAKA'ĀINANA O MAKANA

*The Hui Maka'āinana o Makana is a non-profit organization dedicated to perpetuating and teaching the skills, knowledge, and practices of our kūpuna (ancestors) through the interpretation, restoration, care, and protection of natural and cultural resources in Hā'ena, Kaua'i.*

time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

On behalf of the Hui Maka'āinana o Makana, please do not let the DLNR sell our beaches and / or diminish the Public Trust Doctrine – merely, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

William "Billy" Kinney  
Assistant Director, Hui Maka'ainana O Makana  
P.O. Box 1225 Hanalei, HI 96714

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:37:16 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Karlo Tanjuakio	Testifying for GLSS	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Karlo Tanjuakio and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Karlo Tanjuakio

**SB-3148**

Submitted on: 2/17/2026 9:27:18 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
M. Kalani Souza	Individual	Oppose	In Person

Comments:

Thank You for YOUR ATTENTION to this matter.

Re: E [SB3148](#) SB3148 seeks to allow the Department of Land and Natural Resources (DLNR) to treat private and exclusive hotel and resort uses of public lands and beaches as "public uses" under the public trust doctrine, entitled to a favorable presumption equal to or superseding the public's right to use, access, and enjoy these places.

**Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,**

My name is Rev. M. Kalani Souza and I am **STRONGLY OPPOSED** to **SB3148**.

This Governor's package bill ignores the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

DLNR, through this bill makes the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. This is not the first infraction; DLNR fails to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations. Please do not sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this intentionally misguided measure.

**Rev. M. Kalani Souza**

*Kahu Galumalemana Makai'okalanikeualanikoko*

UH NDPTC FEMA Community Outreach Specialist

The Olohana Foundation. Founding Director

PRiMO Pacific Risk Management Ohana IKE HUI Working Group Steersperson

IPCCWG Indigenous People's Climate Change Working Group

NSF RVCC Rising Voices Changing Coast Convergence Science

IPN Indigenous Phenology Network

**SB-3148**

Submitted on: 2/16/2026 9:28:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Cristina Holt	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee on Water, Land, Culture and the Arts,

My name is Cristina Holt and I am a resident of Hilo, Hawai‘i, House District 2 and Senate District 1. I am in STRONG OPPOSITION to SB3148.

This bill attempts to redefine "public use" of public trust lands to include private, for-profit activities like hotel and resort leases, logging, and mining. It is a direct response to the 2025 Intermediate Court of Appeals ruling that correctly reaffirmed what should never have been in question: that the Land Board must begin with a presumption in favor of public use, access, and enjoyment of public lands before allowing private entities to exclude the public.

Instead of complying with that court order, the Department of Land and Natural Resources has chosen to try to change the rules entirely. This is an end-run around the judiciary and a betrayal of the public trust.

**We have already seen what happens when a state goes down this road. Look at Florida.**

For decades, Florida has allowed private development interests to steadily erode public beach access. The results have been devastating:

**Beach access closures.** Despite Florida's long-established custom of public beach use, the passage of HB 631 in 2018 effectively gutted the doctrine of customary use, making it dramatically harder for local governments to guarantee public access to dry sand beaches fronting private property. Overnight, beachfront resorts and property owners began posting "No Trespassing" signs on stretches of beach that communities had used for generations.

**Privatization by attrition.** In communities like Destin, Walton County, and along the Southwest Florida coast, public beach access points have been systematically reduced through private development, gated communities, and resort expansion. In some areas, there are miles of coastline where the public physically cannot reach the water without trespassing.

**Legal chaos.** Rather than settling the question, Florida's approach created an explosion of litigation. Counties, municipalities, property owners, and the public have spent millions in legal fees fighting over access rights that were previously understood and respected. Walton County

alone has been embroiled in beach access lawsuits for years, costing taxpayers enormously while access remains uncertain.

**Environmental degradation.** When public oversight of coastal lands is weakened in favor of private interests, environmental protections follow. Florida has seen rampant coastal overdevelopment, destruction of dune systems, habitat loss, and water quality crises, much of it driven by the same private development interests that pushed for reduced public access. The algae blooms choking Florida's coastlines and waterways are not unrelated to a governance philosophy that prioritizes private profit over public stewardship.

**Loss of cultural and community identity.** Florida's beaches were once the heart of local communities, places for fishing, gathering, recreation, and connection. In many areas, that is simply gone. Locals are priced out, shut out, and told that the beach they grew up on now belongs to a resort or a hedge fund manager's vacation home. The social fabric of coastal communities has been torn apart.

**This is not hypothetical. This is not fearmongering. This is what actually happened and is still happening when another state decided that private use of public coastal land was essentially the same as public use.**

Hawai'i is not Florida, and **we should not be importing Florida's mistakes.** The public trust doctrine, rooted in Hawaiian worldview and enshrined in our State Constitution, exists precisely to prevent this kind of erosion. It recognizes that our beaches, our waters, and our lands belong to all of us, including generations not yet born.

SB3148 would give private, profit-driven uses of public lands a legal presumption equal to actual public use. This is not a reasonable balancing of interests. It is a wholesale redefinition of what "public" means, crafted to benefit the hotel and resort industry at the expense of everyone else.

I urge this Committee to consider the following:

**The court got it right.** The 2025 ICA ruling did not ban private use of public lands. It simply required the Land Board to start with the public's interest and explain any decision to allow private exclusion. That is a reasonable, minimal standard. If DLNR cannot meet that standard, the answer is better governance, not rewriting the law.

**This bill will generate exactly the legal chaos it claims to prevent.** Redefining "public use" to include private activities under the public trust doctrine will be challenged immediately and repeatedly. The result will be years of costly litigation and legal uncertainty, the very outcome Florida created.

**The public trust is not an obstacle to good governance. It IS good governance.** The trust exists to ensure that short-term political and economic pressures do not permanently compromise resources that belong to all of us. Weakening it does not solve problems. It creates them, for decades.

**Hawai'i's people are watching.** The overwhelming public testimony against the privatization of our beaches in recent years has made the community's position abundantly clear. This bill disregards that voice entirely.

I respectfully but firmly urge this Committee to hold this bill and send a clear message: the public trust is not negotiable, our beaches are not for sale, and Hawai'i will not become Florida.

Mahalo for the opportunity to testify.

Cristina Holt Hilo, Hawai'i House District 2, Senate District 1

David Kimo Frankel  
1638-A Mikahala Way  
Honolulu, HI 96816

February 18, 2026

TESTIMONY IN OPPOSITION TO SB 3148

Chair Lee and members of the Senate Committee on Water, Land, Culture, and the Arts,

SB 3148 is silly. It futilely attempts to redefine constitutional duties to allow hotels to exclude members of the public from our beaches.

More than a year ago, the Intermediate Court of Appeals re-affirmed a long-standing principle that public trust lands are presumed to for “public use, access and enjoyment.” That is a constitutional principle. Its basis comes from Chief Justice William S. Richardson’s landmark decision in *State v. Zimring*, 58 Haw. 106, 121, 566 P.2d 725, 735 (1977) (public trust land is “for the benefit, use and enjoyment of all the people”).

Following well-established precedent, the Intermediate Court of Appeals made clear that before disposing of public trust lands, BLNR “(1) begin its analysis with the presumption in favor of public use when balancing between public and private purposes, (2) consider practicable alternatives, and (3) set forth its decision with clarity.”

These requirements are neither onerous nor unusual. Presumptions can be rebutted. They can be overcome with facts and justifications. To overcome the presumption, BLNR needs to: (1) identify the public trust resources and purposes that may be compromised; (2) discuss the extent to which those resources and purposes may be impaired; and (3) justify the sacrifice of public trust resources and values. These procedural requirements protect public trust resources like our beaches. But they do not require that all public land be left vacant and undeveloped. Just as agency decisions, which often carry a presumption of validity, are frequently reversed, so too can a presumption of public use be overcome. Such a requirement is not burdensome.

BLNR’s justification for this bill is absurd – as has been its treatment of public trust land for years. It is asking you to pass a law that would allow commercial hotel operations on our beaches to exclude members of the public. DLNR’s bill absurdly suggests that exclusive use by a hotel constitutes “public use.” For years, the Board of Land and Natural Resources allowed a hotel to operate a restaurant and rent lounge chairs and cabana structures for the exclusive use of its paying guests on a public beach. *See* the photographs on the next page of commercial use of public trust land that was dedicated to be used as a public beach. Thanks to the Intermediate Court of Appeals, BLNR’s mistreatment of public trust land will no longer be tolerated.



Aloha,

/s/ David Kimo Frankel

**SB-3148**

Submitted on: 2/17/2026 9:24:05 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Telesugu	Individual	Oppose	Remotely Via Zoom

Comments:

Beaches have and should always remain available to the public. Beaches cannot and shouldn't be apart of anyone's "property", public land IS PUBLIC FOR A REASON. Stop catering to the rich!

**SB-3148**

Submitted on: 2/17/2026 9:15:22 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bianca Isaki	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Senators,

Please hold this bill. It would allow public lands - including beaches - to be leased or otherwise used exclusively by private entities like hotels and resorts, without any consideration of potential impacts to public use, access, or gathering. Hawai`i beaches are integral to so many of our lifestyles. Privatizing them this way is entirely wrong and will lead to much heartache and anger. Please do not do this to our communities.

Yours,

Bianca Isaki, Kane`ohe.

**SB-3148**

Submitted on: 2/17/2026 12:25:32 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Broderic Allen	Individual	Oppose	Remotely Via Zoom

Comments:

I Broderic Allen, oppose this legislation and ask that it be rewritten and presented again. This bill allows for "mega corporations" to privatize resources that are meant for the people of Hawaii. "Public Use" does not include hotels, tourists and private interests only.

Broderic Allen.

**LATE**

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Maui Tauotaha and I **STRONGLY OPPOSE** SB3148.

By redefining “public uses” so broadly that it includes agency use “through lease, land license, permit, or other agreement,” and then sweeping in the full list of uses under HRS §171-10, this bill tries to dress up **private, exclusive occupation of public lands** as if it were the same thing as the public’s own use and benefit. That is not a technical fix. That is a power grab that makes it easier to justify **long-term, private control of our shared places**, including shoreline areas that are already under constant pressure from hotels and the visitor industry.

For Kanaka Ma’oli and those of us who truly love and appreciate this ‘āina, this is a line you do not cross. Ke kahakai is one of our most healing spaces and the mere thought of it being taken away for the purpose of profit stirs a deep sense of kuleana to protect and fight for it.

We are of this place, and no legal redefinition should be used to tilt the scales toward private interests that exclude communities from lands that are supposed to feed, heal, and sustain us for generations.

This blatant attempt to privatize our public spaces reeks of greed and corruption and will leave a long-lasting stench on anyone supporting it.

Please do yourselves a favor and HOLD SB3148.

e kū i ka pono,  
maui

Maui Tauotaha  
Kupa o O’ahu

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:48:26 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patricia Louise Leimomi Greene	Individual	Oppose	Remotely Via Zoom

Comments:

The Territory of Hawaii Illegally Stole and Sold the Majority of My Grandmother, Malia Paia Ahuna's Legal Ownership of the 600 plus Acres of the Ahupua'a of Puhe'emiki- Punalu'u. She was a Mere Child.....We Have The Legal Paperwork Under Glass in Lock-up. Given to her by The KONOHIKI Of The AHUPUA'A in 1916.

Patricia Louise Leimomi Greene

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:02:48 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Casey Proud	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Kakou,

My name is Casey Proud and I am captain of the Hawaii Adaptive Surf Team, 3-time defending national champion and 2022 ISA Para Surfing World Champion. You can imagine disabled people are intimately familiar with the concept of access. Surfers are also savvy to this concept when it comes to access to our beaches. Being a part of both communities I've become versed in our rights and levers of power when it comes to fighting those that might attempt to remove our access.

There is nothing pono about commercialized private access to beaches, and I need you to understand: any attempt to privatize Hawaii's beaches and access to them will be met by both the surfing and disability communities with a political and public relations \*nightmare\* for any politician that entertains the thought of supporting this. You \*will\* look back, thinking about how this moment turned your political career and personal reputation upside down, wishing you could go back and undo this. I've already noted the bill sponsors in the senate and house. We will be extremely organized, passionate, and our memories will be long. Trust me, you do not want this smoke. Mahalo nui.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:54:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Camille Rodrigues	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Camille Rodrigues and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:30:07 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Tara Rojas	Individual	Oppose	Remotely Via Zoom

Comments:

I am writing in **STRONG OPPOSITION** to SB3148.

This measure proposes to redefine “public uses” of public lands so broadly that it includes **any use by a state agency, whether directly or through lease, license, permit, or other agreement**, so long as it supports the agency’s functions. By tying this definition to **all uses described in HRS §171-10**, the bill effectively opens the door to an expansive range of activities that go far beyond what the public would reasonably understand as “public use.”

Under HRS §171-10, the Board of Land and Natural Resources is already authorized to dispose of public lands for a wide range of purposes, including but not limited to:

- commercial and industrial uses;
- resort, hotel, and visitor-related developments;
- agricultural and aquaculture operations;
- utility and energy infrastructure;
- rights-of-way and access easements;
- and other uses that may be granted through leases, permits, or licenses.

By incorporating all of these into the definition of “public uses,” SB3148 **collapses the distinction between public benefit and private or commercial use**. It allows lands held in trust for the people to be used in ways that primarily benefit private entities, so long as a state agency is involved in the transaction.

This raises serious concerns under the **public trust doctrine**, as reflected in Article XI, Section 1 of the Hawai‘i State Constitution, which affirms that all public natural resources are held in trust by the State for the benefit of the people. Public lands are not a commodity to be broadly redefined for administrative convenience - they carry legal, cultural, and environmental responsibilities that require **clear limits, not expanded ambiguity**.

SB3148 does not provide those limits. Instead, it **expands state authority over public lands without meaningful safeguards, definitions, or accountability**. It risks enabling the continued diversion of public lands for private gain under the label of “public use,” undermining both community trust and long-standing legal protections.

This is not a matter of clarification.  
This is an expansion of power that should not occur.

This measure erases the meaning of “public use” and replaces it with unchecked authority.  
That is not stewardship. That is not accountability.  
And it has no place in the governance of public lands in Hawai‘i Nei.

For these reasons, I respectfully urge you to **REJECT SB3148**.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:44:44 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Klayton Kubo	Individual	Oppose	Remotely Via Zoom

Comments:

Oppose

Klayton Kubo

Waimea, Kaua'i

**SB-3148**

Submitted on: 2/16/2026 5:15:40 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christy Shaver	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair and Members of the Committee,

I write in strong opposition to S.B. 3148.

This bill dangerously expands the definition of “public uses” to include virtually any use by a state agency—directly or through lease, permit, or other disposition—that supports the agency’s functions. By tying “public use” to agency purpose rather than demonstrated public benefit, the bill weakens Hawai‘i’s public trust protections and shifts power away from the people.

Including land dispositions to third parties under the umbrella of “public use” is especially troubling. A lease or permit does not automatically become a public use simply because an agency approves it. This language risks normalizing exclusionary or privatized uses of public lands while reducing meaningful scrutiny and community oversight.

The public trust doctrine requires the State to act as a fiduciary for present and future generations—not as a land manager with broad discretionary authority. This bill blurs that line and lowers the standard of accountability at a time when communities across Hawai‘i are already concerned about access, equity, and stewardship.

Public lands are not administrative assets. They are shared, cultural, and ecological commons held in trust for the people.

For these reasons, I urge you to reject this bill.

Respectfully,  
Christy Shaver  
Maui, Hawai‘i

Aloha Chair Lee and Vice Chair Inouye

Oppose SB3148

Private, exclusive, profit-driven uses of public lands and watersheds is misguided.

Why this is bad public policy:

The public trust doctrine, rooted in Hawaiian worldview, requires our public lands and resources to be protected, managed, and used for the benefit of the public, including both present and future generations. This doctrine has long been used to safeguard the public interest in public lands and resources.

Superseding the public's right to use, access, and enjoy places regardless the proximity to private hotel/resorts is wrong.

This is bad public policy. Oppose SB3148

Respectfully submitted,  
Keith Neal  
Waimea

**SB-3148**

Submitted on: 2/16/2026 10:05:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Laura Acasio	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Laura Acasio, and I respectfully submit testimony in my personal capacity **in opposition to SB3148**.

SB3148 proposes to allow public lands, including beaches, to be leased or otherwise used exclusively by private entities without adequate consideration of impacts to public use, access, and enjoyment. This approach **conflicts with the public trust doctrine**, which requires that public lands and natural resources be protected and managed for the benefit of the public, including future generations.

Beaches in Hawai‘i have long been recognized as public lands, held in trust for recreation, cultural practice, subsistence, and community well-being. This measure would allow private hotel and resort uses, and potentially other private, profit-driven activities, like mining, on public lands to be treated as “public uses” under the public trust doctrine. Doing so risks weakening long-standing protections that prioritize the public trust and stewardship.

In 2025, the Intermediate Court of Appeals affirmed that the Board of Land and Natural Resources must begin with a presumption in favor of public use, access, and enjoyment of public lands before allowing restrictions. Rather than reinforcing this responsibility, SB3148 attempts to redefine “public use” in a way that could diminish public trust protections and lead to confusion, legal challenges, and reduced access to shared resources.

Public lands and beaches are foundational to Hawai‘i’s culture, environment, and community life. Decisions affecting their use must remain grounded in transparency, accountability, and the protection of public rights.

For these reasons, I respectfully urge the Committee to **please defer SB3148**.

Mahalo for the opportunity to testify.

Laura Acasio, Hilo

**TESTIMONY OPPOSING SB 3148**

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am writing to **oppose** SB 3148. I am a resident of Honolulu and I am submitting this testimony in my individual personal capacity. My perspective on this bill is informed by my work in a separate professional capacity as a law professor who teaches environmental law and business law in Hawai'i. My name is Richard Wallsrove.

This bill conflates public uses of land with leasing land for private and exclusionary uses such as:

- "Commercial and industrial use";
- "Resort use";
- "Hotel, apartment, and motel use"; and
- "Mining use."<sup>1</sup>

This conflicts with the Hawai'i Constitution and with common sense. Article XI, Section 1 of the Hawai'i Constitution requires that:

For the benefit of present and future generations, the State and its political subdivisions **shall conserve and protect Hawaii's natural beauty and all natural resources, including land**, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State.

**All public natural resources are held in trust by the State for the benefit of the people.**

Similarly, Article XII, Section IV holds "ceded" public lands in trust for Native Hawaiians and the general public.

In 2025 the Hawai'i Intermediate Court of Appeals applied these public trust duties in the context of a permit for a private hotel to occupy a public beach. The court explained that when compromising a public land trust resource in this way, the law requires a state agency to "**balance between public and private purposes**" and to "**begin its analysis with the presumption in favor of public use.**"<sup>2</sup>

SB 3148 would short circuit this process by bluntly declaring that a "public use" includes private uses like those listed above. But a statute cannot so easily override the Constitution's fundamental distinction between public and private uses. The bill will **almost certainly invite litigation** over its constitutionality.

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<sup>1</sup> H.R.S. § 171-10.

<sup>2</sup> *Frankel v. Bd. Land & Nat. Res.*, 155 Hawai'i 358, 378–79, 564 P.3d 1157, 1177–78 (Ct. App. 2025), *as corrected* (Mar. 5, 2025).

This does *not* mean that all leases or other dispositions of public lands are barred. An agency may lease a public resource for private use so long as it properly balances the public and private interests, abides by the Constitution's mandate to protect and conserve natural resources for future generations, and explains its decision with clarity.

SB 3148 would upend this well-established process. **And even if the bill was consistent with the Constitution, it would be bad policy.** The public trust concept has been deeply ingrained in Hawai'i's legal system for far longer than Hawai'i has been a state. The process of balancing between public and private interests simply reaffirms the basic, modest principle that decisions about using natural resources must proceed with due regard for these enduring public rights.<sup>3</sup>

Please don't let SB 3148 erase this balance by conflating public and private uses of land.

Thank you,  
Richard Wallsgrove

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<sup>3</sup> See *In re Water Use Permit Applications*, 94 Hawai'i 97, 190, 9 P.3d 409, 502 (2000) ("Rather, we simply reaffirm the basic, modest principle that use of the precious water resources of our state must ultimately proceed with due regard for certain enduring public rights.").

**SB-3148**

Submitted on: 2/17/2026 1:21:15 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisette Akamine	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am submitting this testimony because I am a Native Hawaiian voter who is **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is an unacceptable attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches by allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is extremely distressing to see the agency directly responsible for protecting our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder for generations at a time.

Equally distressing is the fact that this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its kuleana and duties under the trust, or the incredible harms that it can inflict (and has inflicted) through the abdication of its trust obligations to present and future generations.

With all due respect, please do not let the DLNR undermine the rights of Hawai'i's people for generations under the public trust. The Hawai'i State Supreme Court, in its wisdom, established in 1968 that we, the public, own the beaches up to the vegetation line. Our beaches and shoreline access must be preserved as a public trust. Please **REJECT** this terrible piece of legislation.

Mahalo nui for the opportunity to testify,

Lisette Puanani Akamine

Kahalu'u, O'ahu

**SB-3148**

Submitted on: 2/17/2026 5:20:42 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robin Kaye	Individual	Oppose	Written Testimony Only

Comments:

This bill allows for significant undermining of the Public Trust doctrine. It is terribly dangerous and unwise. It should NOT go forward.

**SB-3148**

Submitted on: 2/17/2026 6:30:00 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Abby Paterson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Abby and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify, Abby

**SB-3148**

Submitted on: 2/17/2026 6:30:20 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealii Pang, Ph.D.	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kealii Pang, Ph.D. I am a resident of Kaimukī, O‘ahu, and the President of a nonprofit that holds a long-term lease on State land dedicated to the cultural education of Native Hawaiian ‘ōpio in Wai‘anae. I am also a retired federal biologist.

I am writing to express that I am STRONGLY OPPOSED to SB3148.

Throughout my career, I have seen too often how commercial interests prioritize the development of coastline at the expense of critical habitats. Our public lands and shorelines are not just recreational spaces; they are the last strongholds for our Hawaiian seabirds, the endangered Honu (Green Sea Turtle), and the ‘Ilioholoikauaua (Hawaiian Monk Seal).

**The Scientific and Trust Conflict**

This Governor’s package bill is a misguided attempt by the Department of Land and Natural Resources (DLNR) to bypass the public trust. By attempting to make private activities listed under HRS §171-10 equal to "public use," this bill creates a legal pathway for hotels and resorts to exclude the public—and ignore environmental stewardship—for decades.

- **Habitat Fragmentation:** Allowing private entities to control and "exclude" the public from public lands often leads to increased light pollution, loss of nesting grounds, and the degradation of the coastal ecosystems these species depend on.
- **Default Privatization:** The DLNR is essentially trying to make the privatization of our beaches a default option. As a biologist, I know that once these habitats are modified for private resort use, the ecological damage is often irreversible.

**A Failure of Stewardship**

It is dumbfounding to see the primary trustee agency for our public resources seek the ability to sell our public beaches to the highest bidder. In my work with ‘ōpio in Wai‘anae, we teach that the health of the land is directly tied to the health of the people. This bill abdicates that responsibility for the sake of "administrative convenience."

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations. For the sake of our community and the endangered species that have no voice in these halls, please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kealii Pang, Ph.D. Kaimukī, O‘ahu

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Elizabeth Wiggans I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

Furthermore, the language of SB3148 is overbroad and gives the executive free rein on discretion on beach access for their agencies. It puts no limit on agency prioritization over public use and instead assumes that beach access will be infinitely available for development in the face of climate change-induced sea level rise. DLNR assumes this to its detriment.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Elizabeth Wiggans

**SB-3148**

Submitted on: 2/17/2026 6:46:02 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sharde Freitas	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Sharde Freitas and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Sharde Freitas

**SB-3148**

Submitted on: 2/17/2026 7:04:45 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Douglas	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Bob Douglas and I am **STRONGLY OPPOSED** to SB3148.

Hawai‘i’s beaches are a public trust resource, protected for the benefit of all people — not a privilege reserved for the wealthy or well-connected. Any attempt to create carve-outs for private interests undermines long-standing public access principles and erodes trust in government.

Our shoreline laws exist to ensure fairness, cultural continuity, environmental stewardship, and equal access. Reinterpreting or weakening them to accommodate a narrow set of interests sets a dangerous precedent and invites legal, ethical, and public backlash.

This is not simply about access — it is about protecting a core value of Hawai‘i: that our natural resources are held in trust for current and future generations. Policymakers must ask themselves: Are we representing the broader community, or a select minority seeking private gain?

We urge you to uphold the integrity of Hawai‘i’s public trust doctrine, maintain equal shoreline access, and reject any measures that privilege private wealth over the rights of the people.

**SB-3148**

Submitted on: 2/17/2026 7:10:17 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lanning Lee	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Lanning Lee, and I am **STRONGLY OPPOSED** to SB3148.

The Governor's package bill is an attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

I grew up a Hawai'i, a state surrounded by beaches enjoyed since the beginning of time, almost, where a large part of island life has been access to all beaches. It is nearly an inherent right to enjoy all the benefits and pleasures that free access to beaches allow.

With this bill, apparently, DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

This is shameful.

Please do whatever you can to stop this bill and save the integrity of access for everyone to one of our greatest resources.

Mahalo for taking the time to read my testimony.

Aloha and peace be with you,

Lanning Lee  
lanninglee@gmail.com

**SB-3148**

Submitted on: 2/17/2026 7:42:00 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Suzan Harada	Individual	Oppose	Written Testimony Only

Comments:

Hawai'i has always allowed the public access to all the beaches in Hawai'i. DLNR does not have the right to lease/sell that right to private entities. Already--beaches I took my kid to 20 years ago--are filled with tourist and we -residents are basically crowded out of beaches we use to go to. Beaches are for public enjoyment--the more politicians take away/sell out --to tourists/non-residents--the more it becomes obvious the have been bought out by contributors to their campaigns. The more you take away places the working class can enjoy--ask how many people who work in Waikiki--go to beach in front their hotels and "enjoy" themselves. Look at Kahala beach--just because they put chairs out--the hotel thinks they own. DLNR needs to advocate for their own workers/family not for commercial use.Suzan Harada

**SB-3148**

Submitted on: 2/17/2026 8:04:49 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Megan Lamson Leatherman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Megan Lamson Leatherman and I am **STRONGLY OPPOSED** to **SB3148**.

This Governor's package bill is a misguided attempt to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, this bill promotes the privatization of our beaches as a default option over the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the state has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let this bill pass. Do not sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terrible measure.

Mahalo nui for your consideration and for the opportunity to testify,

Megan Lamson Leatherman

Honalo, HI

**SB-3148**

Submitted on: 2/17/2026 8:14:38 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
David Hunt	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am David Hunt. I live in Honoka'a.

I STRONGLY OPPOSE SB3148.

I am loosing trust in our Governor and our DLNR.

The Gov.'s package bill is a blatant attempt by the DLNR to ignore the public's right to use, access, and enjoy public lands and beaches, while allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

This bill intends to make private activities listed under HRS §171-10 equal to public use under the **public trust doctrine**.

Doing so would create a "favorable presumption in favor" of hotel and resort uses of public lands and beaches under the public trust - even when such uses **exclude the public**.

DLNR seeks to avoid following a **court order** to "start with a presumption in favor of public use, access, and enjoyment," before allowing a hotel to exclude the public from a public beach. Instead, the **DLNR is choosing to make the privatization of our beaches a default option under the public trust**.

It is immoral for the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time.

This is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

DO NOT LET DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience.

**HOLD** this terrible bill. It belongs in the garbage, and those responsible for it deserve the public's, the electorate's scorn for a breach of their duty!

**SB-3148**

Submitted on: 2/17/2026 8:27:53 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Charles Naone	Individual	Oppose	Written Testimony Only

Comments:

Dear Members of the Committee,

My name is Charles Naone, and I am a resident of Nanakuli, Hawaii. I am writing to express my strong opposition to SB3148.

While I understand the intentions behind this bill, I believe that it would have negative consequences for our community and its residents. I urge the committee to consider alternative approaches that address the underlying issues without creating unintended hardships or barriers. Our community values fairness, safety, and progress, and I believe there are better ways to achieve these goals.

Thank you for your time and consideration.

Charles Naone,

**SB-3148**

Submitted on: 2/17/2026 8:29:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
G. L. Hutchinson	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE THIS BILL

**SB-3148**

Submitted on: 2/17/2026 8:35:34 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Oppose	Written Testimony Only

Comments:

**Hello Chair Lee, Vice Chair Inouye, and Members of the Committee,**

My name is **Nanea Lo**, and I am **STRONGLY OPPOSED** to **SB3148**.

This Governor’s package bill is a shameless and deeply misguided attempt by the Department of Land and Natural Resources (DLNR) to erode the public’s right to access, use, and enjoy public lands and beaches. It does so by enabling hotels and resorts to lease public lands and exclude the public from these spaces for decades—or longer.

As stated in the bill’s justification, this measure seeks to elevate private activities listed under HRS §171-10 to the level of “public use” under the public trust doctrine. This would create a dangerous presumption in favor of hotel and resort uses of public lands and beaches—even when those uses result in the exclusion of the public.

In effect, DLNR is attempting to make the privatization of our beaches the default outcome under the public trust.

It is astonishing that the very agency charged as the primary trustee of Hawai‘i’s public lands, waters, and resources would seek authority to effectively sell off our public beaches to the highest bidder for generations at a time. Unfortunately, this proposal is consistent with DLNR’s ongoing failure to demonstrate a meaningful understanding of the public trust doctrine, its fiduciary obligations, or the irreversible harms caused by abandoning those duties to both present and future generations.

Public trust lands exist to benefit the people of Hawai‘i—not to serve administrative convenience or private profit. This bill represents a profound betrayal of that responsibility.

Please do not allow DLNR to sell out our public beaches and undermine the rights of current and future generations. I urge you to **HOLD SB3148**.

me ke aloha ‘āina,

Nanea Lo, 96826

Sierra Club of Hawai‘i Member

Hawai'i Workers Center Board Member

Honolulu Tenants Union Member

350 Hawai'i Member

Carbon Cashback Hawai'i Member

Hawai'i Tax Fairness Coalition Member

**SB-3148**

Submitted on: 2/17/2026 8:36:16 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jasmine	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY OPPOSE SB3148

**SB-3148**

Submitted on: 2/17/2026 8:37:15 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brianna Namulauti Matapua	Individual	Oppose	Written Testimony Only

Comments:

I oppose sb3148

**SB-3148**

Submitted on: 2/17/2026 8:37:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
DIANE CHOY FUJIMURA	Individual	Oppose	Written Testimony Only

Comments:

/Cmd+V

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Diane Choy Fujimura and I am STRONGLY OPPOSED to SB3148.

Auwe to this bill! Hawaii is not a playground for tourists. We must keep our precious land for the people's use as a priority. Do not cater to the large corporations and interests that do not malama our precious 'aina, or care for the people that make Hawaii Hawaii.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Diane Choy Fujimura

**SB-3148**

Submitted on: 2/17/2026 8:44:17 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maria	Individual	Oppose	Written Testimony Only

Comments:

I Maria Felisi, I oppose SB3148.

Thank you

Maria Felisi

Nanakuli High Student

## **TESTIMONY IN OPPOSITION TO S.B. 3148 Relating to the Use of Public Lands**

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee.

My name is Frederick Smith. I am a Hawai'i Island resident in the Kealakekua ahupua'a, submitting testimony in my personal capacity in **strong opposition to S.B. 3148**.

Public lands in Hawai'i are not ordinary government property. Under Article XI, Section 1 of the Hawai'i Constitution, they are held in trust for the benefit of present and future generations. The State is a constitutional trustee, not an ordinary landowner. Its obligations are constitutional in origin and fiduciary in nature; they cannot be reduced to administrative discretion or revenue generation.

S.B. 3148 would redefine "public uses" to include land used by a state agency, whether directly or through lease, land license, permit, or other agreement, in a manner that supports the agency's functions, including but not limited to the uses described in section 171-10. This is not a minor clarification. It is a significant expansion of statutory authority that collapses the distinction between public trust stewardship and private commercial disposition.

As reaffirmed by the Hawai'i Intermediate Court of Appeals in *Frankel v. Board of Land and Natural Resources* (2025), the State must begin from a presumption in favor of protecting public trust lands and must justify private uses under heightened fiduciary standards. Hawai'i courts have long made clear, including in *In re Water Use Permit Applications (Waiahole Ditch)* (2000), that agencies do not have ordinary discretion when allocating trust resources.

When courts reinforce constitutional guardrails, the appropriate response is stronger compliance with fiduciary duties - not statutory redefinition of what counts as "public use."

If a private lease can be labeled a "public use" simply because it generates revenue or supports agency operations, the public trust doctrine is substantially eroded in practice. Revenue alone is not a constitutional trust purpose. Administrative convenience is not a substitute for fiduciary responsibility.

Public lands also implicate Native Hawaiian traditional and customary rights under Article XII, Section 7. Any attempt to broaden statutory definitions must clearly preserve, not dilute, constitutional protections.

At a time when public confidence in stewardship matters deeply, this bill moves in the wrong direction. It responds to judicial scrutiny not by strengthening public accountability, but by lowering the standard.

The public trust doctrine safeguards the rights of the people of Hawai'i. This bill moves in the opposite direction. For these reasons, I respectfully urge the Committee to **reject S.B. 3148**.

Mahalo for your consideration.

Frederick Smith

82-6996 Napo'opo'o Road  
Captain Cook, HI 96704

**SB-3148**

Submitted on: 2/17/2026 9:15:45 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stacey Alapai	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

Please OPPOSE SB3148 that seeks to privatize public beaches. I'm insulted that this has even been introduced.

Hotel and resort use is NOT a "public use" by any definition. It is a for-profit use because it would require people to pay a corporation to use the beach. It is certainly NOT in the interest of the public trust. You really want to codify "tourist-only beaches"? This bill would require people to PAY A HOTEL to use our beaches. Kill this bill and please spend your time as our representatives solving the problems we face as a state, not creating new ones.

**This is shameful and I will be watching very closely who supports this bill and who opposes it. End this madness now.**

**SB-3148**

Submitted on: 2/17/2026 9:24:17 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Raymond Madigan	Individual	Oppose	Written Testimony Only

Comments:

My name is Raymond Madigan and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Raymond Madigan

**SB-3148**

Submitted on: 2/17/2026 9:24:43 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joie Yonamine	Individual	Oppose	Written Testimony Only

Comments:

I am writing in strong opposition to SB3148. This bill seeks to allow the DLNR to treat private and exclusive hotel and resort uses of public lands and beaches as “public uses” under the public trust doctrine. This would justify the privatization of our public beaches as consistent with the public trust.

Having grown up in Hawaii, I have had the privilege of being able to access some of the most beautiful beaches in the world. It was shocking to see that this is not the case on the mainland and abroad.

Eroding the legal definition of the public trust is a departure from its intention to protect Hawaii's lands and waters for everyone. Please ensure that the community can continue to enjoy these special places and do not allow the public trust to be hollowed to serve private interests.

Thank you for the opportunity to testify on this bill.

Joie Yonamine, Manoa Valley

**SB-3148**

Submitted on: 2/17/2026 9:45:52 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Peter Matlock	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am STRONGLY OPPOSED to SB3148.

I am a Hawai'i County resident and am deeply disturbed by this "camel's nose under the tent" bill that opens undefined avenues for DLNR to restrict access to beaches in favor of unspecified ("including but not limited to") private use.

Public beaches in Hawai'i must remain public! There should be no restrictions on public access in favor of private interests!

Mahalo for the opportunity to testify,

Peter Matlock

**SB-3148**

Submitted on: 2/17/2026 9:52:09 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nathaniel Montalbo	Individual	Oppose	Written Testimony Only

Comments:

in strong opposition, sb3148 does not support kanaka maoli.

**SB-3148**

Submitted on: 2/17/2026 9:54:33 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Anne Lorenzo	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Chair Lee, Vice Chair Inouye, am e Members of the Committee,

My name is Anne M. Lorenzo and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Anne M. Lorenzo

**SB-3148**

Submitted on: 2/17/2026 10:01:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Ariel Murphy	Individual	Comments	Written Testimony Only

Comments:

**Allowing the Board of Land and Natural Resources to privatize beaches and other public lands without even considering impacts to public use, access, and enjoyment is a VIOLATION of the public trust doctrine enshrined in the Hawaii Constitution and embedded in the Hawaiian world view! This Bill empowers only the wealthy and the influential to the detriment of ordinary people and the public. Please do not pass this Bill! Respect the Aina, respect our people -- Kanaka and non-Kanaka alike! Mahalo!**

**SB-3148**

Submitted on: 2/17/2026 10:11:06 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kaimi	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Ka'imi. I was raised my whole life in Hawaii. I am Hawaiian. Nowadays it is very difficult for the general public to dwell and exist in areas we used to be able to freely move through. Everything is being blocked off and sold to the highest bidder. This trend needs to end. This bill will only push out families born and raised in Hawaii and turn it into another commodity for the monetarily rich. I oppose this Bill.

**SB-3148**

Submitted on: 2/17/2026 10:12:59 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elizabeth Hansen	Individual	Oppose	Written Testimony Only

Comments:

Aloha please oppose this bill.

It is shocking to see the DLNR, primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience.

Mahalo

Elizabeth Hansen

Hakalau HI 96710

**SB-3148**

Submitted on: 2/17/2026 10:13:02 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Oppose	Written Testimony Only

Comments:

**Aloha Chair Lee and Members of the Committee,**

I respectfully submit testimony in **opposition to SB3148.**

This bill broadly expands the definition of “public use” of public lands and grants agencies wide discretion without clear limits. Public lands are held in trust for the people and must be protected with strict oversight and clear public benefit.

Expanding agency authority without stronger safeguards risks weakening public trust protections and reducing accountability.

For these reasons, I respectfully urge you to oppose **SB3148.**

Mahalo,  
Teri Kia Savaiinaea

**SB-3148**

Submitted on: 2/17/2026 10:26:56 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Donelle Sawyer	Individual	Oppose	Written Testimony Only

Comments:

Ioha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Donelle Sawyer and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations. Excluding part of a community is a meaningful issue in a state whose indigenous and long-suffering people have had their rights trampled in the name of "progress" since Queen Lili'uokalani's time.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

**SB-3148**

Submitted on: 2/17/2026 10:27:24 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Madonna Dizon	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Strong Opposition to SB3148

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kaleookamahina aka Madonna Dizon. I am writing in STRONG OPPOSITION to SB3148.

This Governor’s package bill is HEWA. It represents a shameless attempt by the Department of Land and Natural Resources (DLNR) to disregard the public’s right to use, access, and enjoy public lands and beaches by allowing hotels and resorts to lease and exclude the public from these spaces for decades or longer. HEWA! HEWA! HEWA!

This bill attempts to make private activities listed under HRS §171-10 equivalent to public use under the public trust doctrine. This is absolutely HEWA. Such a change would create a favorable presumption for hotel and resort uses of public lands and beaches under the public trust—even when those uses exclude the public.

Through this measure, the DLNR is effectively attempting to make the privatization of our beaches the default option under the public trust. This is HEWA.

It is deeply troubling to see the primary trustee agency responsible for our public trust lands, waters, and resources seek the authority to effectively sell or control our public beaches to the highest bidder for generations. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of its kuleana under the public trust, its duties to the people, or the significant harms that can result from abandoning those obligations to present and future generations.

Please do not allow the DLNR to sell out our public beaches nor undermine the rights of present and future generations for the sake of administrative convenience. I urge you to STOP this misguided measure. Mahalo nui loa for your support.

Respectfully submitted,  
Kaleookamahina aka Madonna Dizon



**SB-3148**

Submitted on: 2/17/2026 10:34:50 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
J. Kehau Lucas	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kēhau Lucas, and I am submitting testimony in strong opposition to SB3148.

SB3148 conflicts with well-established constitutional and statutory requirements governing the management of Hawai‘i’s public lands and beaches. The measure would allow private, revenue-generating activities—such as hotel and resort operations—to be treated as “public uses” under the public trust doctrine. This is a direct contradiction of the doctrine’s purpose, scope, and legal standards.

## **1. The Hawai‘i Constitution requires that public trust resources remain accessible to the public.**

Article XI, Section 1 of the Hawai‘i State Constitution mandates that all public natural resources, including beaches and coastal lands, be “held in trust by the State for the benefit of the people.” The Hawai‘i Supreme Court has repeatedly affirmed that this imposes a fiduciary duty on state agencies to protect public access and prevent exclusive private control of trust resources.

SB3148 would undermine this constitutional obligation by allowing long-term leases that exclude the public from beaches and shoreline areas—contrary to the State’s duties as trustee.

## **2. Hawai‘i case law explicitly rejects the privatization or exclusive use of public trust resources.**

In cases such as *Waiahole Ditch*, *PASH*, and *NED v. DLNR*, the Hawai‘i Supreme Court has held that:

- Public trust resources must be managed for public benefit, not private gain.
- Agencies must avoid actions that substantially impair public use or access.
- The State must apply a presumption in favor of public access, not private exclusivity.

SB3148 attempts to reverse this presumption by elevating private commercial activities to the same status as public uses—an approach that is inconsistent with decades of binding precedent.

### **3. The bill contradicts the purpose of HRS Chapter 171.**

HRS §171-10 distinguishes between public uses and private commercial uses for a reason:

- Public uses are tied to public benefit, access, and trust obligations.
- Private uses require heightened scrutiny because they can restrict access or impair public resources.

SB3148 collapses this distinction, effectively redefining private hotel and resort operations as “public uses.” This would make it significantly easier for DLNR to approve long-term leases that exclude the public from beaches and shoreline areas—contrary to the statutory framework the Legislature established.

### **4. DLNR, as trustee, cannot lower its fiduciary obligations for administrative convenience.**

The justification sheet for SB3148 frames the bill as a way to “streamline” leasing processes. However, fiduciary duties cannot be reduced or redefined for administrative efficiency. The Hawai‘i Supreme Court has been clear:

- Trustee agencies must demonstrate heightened diligence, transparency, and protection of public rights when managing trust resources.
- Convenience is not a legally valid reason to weaken public trust protections.

SB3148 would allow DLNR to approve leases that diminish public access for decades, without meeting the rigorous standards required of a trustee.

## **Conclusion**

SB3148 is inconsistent with the Hawai‘i Constitution, established case law, and the statutory purpose of HRS Chapter 171. It would create a legal pathway for the long-term privatization of beaches and shoreline areas—resources that the State is constitutionally required to preserve for public use.

For these reasons, I respectfully urge the Committee to HOLD SB3148.

Mahalo for the opportunity to testify.

Aloha ‘āina,

J. Kēhau Lucas

**SB-3148**

Submitted on: 2/17/2026 10:37:57 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Matson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Committee Members,

I am strongly opposed to this bill. Please protect and uphold the public trust doctrine. Please protect public access and reject this legislation.

Mahalo,

Shannon M.

Hawai'i Island Resident

**SB-3148**

Submitted on: 2/17/2026 10:40:59 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Koster	Individual	Oppose	Written Testimony Only

Comments:

My family deeply opposes this bill because it would erode public access in favor of private interests. We would like to see bills favoring the people, not corporations.

**SB-3148**

Submitted on: 2/17/2026 10:46:25 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
William	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is William Reese Liggett and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

William Reese Liggett

**SB-3148**

Submitted on: 2/17/2026 10:54:33 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Karen Luke	Individual	Oppose	Written Testimony Only

Comments:

Please oppose the theft of our right to our shoreline. Make the protection of public lands your priority. I live on Puuloa Beach, 60 feet from the water, and fully support public access to the shoreline. I accept the fact that one day, my beach house will be gone.

I do not support shoreline hardening or beach replenishment. I'm very disappointed that we continue this practice in Waikiki. This isn't natural, yet we beat our budget to death in this futile effort to support hotels. The hotels, just like any shoreline owner, needs to step back instead of stepping on our budget. The tourism industry will rebuilt even better because of strong demand. Our weather, clean air, and our people are our assets.

I support allowing beachfront owners growing naupaka, pohinahina, ilima papa, and other native plants to stabilize coastal dunes. I oppose fining homeowners for allowing naupaka hedges or any native plant to encroach onto public beach areas.

Please protect our rights.

Mahalo,

Karen Luke, Ewa Beach Road

**SB-3148**

Submitted on: 2/17/2026 10:54:57 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rodger Hansen	Individual	Oppose	Written Testimony Only

Comments:

Aloha please oppose bill SB3148.

It is shocking to see the DLNR, primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience.

Mahalo

Rodger Hansen

Hakalau HI 96710

**SB-3148**

Submitted on: 2/17/2026 10:55:25 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
janet Matlock	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I STRONGLY OPPOSE SB3148. To quote from the Justification Sheet, “The public may be prohibited from accessing and utilizing public lands in instances where it would conflict with the managing agency's functions.”

To clarify this vaguely worded language: it would allow public lands - including beaches - to be leased or otherwise used exclusively by private entities like hotels and resorts, without any consideration of potential impacts to public use, access, or enjoyment.

This bill’s purpose is hewa. Do not allow DLNR to sell our public beaches to the highest bidder.

Mahalo,

janet Matlock, Kailua Kona

**SB-3148**

Submitted on: 2/17/2026 10:56:24 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Beverly Zilonis	Individual	Oppose	Written Testimony Only

Comments:

Aloha kakou,

This bill is not pono. Hawaiians and the rest of public that resides has rights to all public beaches. This bill is disingenuous on its true intentions.

Mahalo

Beverly Zilonis

**SB-3148**

Submitted on: 2/17/2026 10:56:48 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cathy Goeggel	Individual	Oppose	Written Testimony Only

Comments:

A Hard NO! Hawa'ii is an ocean state. SB3148 would limit one of the greatest freedoms that all Hawai'i residents enjoy! I remember when the Kahala Hotel decided to take more beach than they were allowed under their lease with the State. They were forced to pull back their loungers and post signage regarding the public's right to enter.

Ko Olina is another sore spot- yes the beach is available, but there are limited parking spots which make s accessing the beach virtually impossible for local people.Please hold this bill.  
Mahalo

**SB-3148**

Submitted on: 2/17/2026 10:57:23 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Aria Juliet Castillo	Individual	Oppose	Written Testimony Only

Comments:

Strong opposition. Our beaches, our lands, and our waters are held for everyone. "Public use" will never include private hotel leases, lodging, and mining. Please defer this bill and never consider selling out our public beaches for profit.

**SB-3148**

Submitted on: 2/17/2026 10:58:08 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kencho Gurung	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kencho Gurung and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kencho Gurung, Hilo

**SB-3148**

Submitted on: 2/17/2026 10:58:13 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Umiamaka	Individual	Oppose	Written Testimony Only

Comments:

**To: The Honorable Members of the Hawai‘i State Legislature**

**Re: Strong Opposition to SB3148 – “Relating to the Use of Public Lands”**

**I am a Hawai‘i Island resident writing in strong opposition to SB3148, Relating to the Use of Public Lands. This bill is being advanced without publicly available bill text, which is unacceptable for a measure that may directly affect public shoreline, trail, and natural area access. Moving a “public lands” bill in the dark undermines transparency, due process, and meaningful participation by the very communities whose rights and daily lives are at stake.**

**Any measure that alters the “use of public lands” raises serious concerns for long-standing shoreline and trail access rights, Native Hawaiian traditional and customary practices, and the broader public trust in Hawai‘i’s beaches and coastal resources. Hawai‘i law and policy have long recognized the shoreline as a public trust resource and have criminalized obstruction of public access corridors. A bill that quietly facilitates privatization, exclusive control, or new barriers to access—through long-term leases, liability shields, or public-private deals—would effectively transfer control of public trust resources to private interests, in tension with our Constitution and decades of case law.**

**SB3148 also appears to sit against a backdrop of increasing pressure to treat beaches and coastal lands as a buffer for private development rather than as shared public resources. Recent disputes on our shorelines have shown how easily access can be cut off or discouraged by gates, seawalls, sandbags, “no trespassing” signs, and aggressive security until communities fight to restore what should never have been taken away. A bill that restructures “public land” use without clear safeguards invites more of this behavior and risks entrenching it in statute.**

**Moreover, there are serious public safety and liability implications whenever the State changes how it manages public lands. Reports to the Legislature already document concerns about injuries, inadequate warning signs, and limited capacity to manage hazards on beaches and trails. If SB3148 attempts to reduce the State’s liability by shifting responsibility and practical control to private entities or partnerships, it could leave residents and visitors with fewer protections, less transparency, and weaker accountability when something goes wrong. Public safety on beaches, trails, and in natural areas should**

**be improved through better management and clear standards, not by off-loading risk while quietly constricting access.**

**For these reasons, I strongly oppose SB3148 and urge you to hold this bill. At minimum, no measure affecting public shoreline, trail, or natural area access should advance without full public disclosure of bill language, robust notice, and genuine consultation with Native Hawaiian stakeholders, lineal descendants, local communities, and everyday residents who rely on these areas for subsistence, culture, health, and recreation. SB3148, as presently handled, is not in the best interests of Hawai'i residents and threatens to weaken the public trust over our beaches and public lands.**

**Mahalo for your consideration.**

**Sincerely,**

**Deborah Umiamaka**

**Hawai'i Island Resident**

**SB-3148**

Submitted on: 2/17/2026 11:00:00 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexa Helge	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3148.

**SB-3148**

Submitted on: 2/17/2026 11:02:23 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lucienne de Naie	Individual	Oppose	Written Testimony Only

Comments:

aloha Chair Lee, Vice Chair Inouye, and Members of the Committee

I STRONGLY OPPOSE this bill. Our State supreme court gave clear direction to the DLNR to prioritize public uses of public lands. These lands are held in trust for public purposes. This bill seeks to redefine and elevate private, profit centered uses of public lands and push out the public to guantee private users have more exclusive use of our public shorelines and othert public lands.

Here on Maui people still remember the joyful local families able to access the "hotel " beaches because Covid had shut down the hotels. There is a hunger in our community for more public places to gather, not more privatization of public lands. Please do NOT pass this one sided bill,

Lucienne de Naie , Huelo, Maui

**SB-3148**

Submitted on: 2/17/2026 11:03:35 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Melissa Barker	Individual	Oppose	Written Testimony Only

Comments:

Honorable Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am writing to ask that you oppose SB3148. This bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Thank you for your attention and consideration.

Melissa Barker

Kapaa, HI

**SB-3148**

Submitted on: 2/17/2026 11:06:57 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bonnie Margolis	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

Public beaches should be accessible to the entire public and not privatized by companies who want to exploit Hawaiian lands, waters and natural resources for personal gain and exclusive spaces

**SB-3148**

Submitted on: 2/17/2026 11:11:13 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Leo Nahe Smith	Individual	Oppose	Written Testimony Only

Comments:

This bill is HEWA and should not be passed! I oppose this bill because it clearly prioritizes monetary gains over community wants and needs. Enough is enough.

I, Leo Nahe, Oppose this bill!

**SB-3148**

Submitted on: 2/17/2026 11:19:57 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Asia Leong	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Asia Leong, and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Asia Leong

**SB-3148**

Submitted on: 2/17/2026 11:25:45 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Duarte	Individual	Oppose	Written Testimony Only

Comments:

Committee on Water, Land, Culture, and the Arts:

I write to you in strong opposition to SB3148. I believe we should maintain the public trust doctrine and that our beaches, our lands, and our waters belong to ALL of the peoples of Hawai'i. Our laws should reflect our love of our home, our 'āina, and ensure that it is reserved for present and future generations. Please keep our invaluable resources out of the hands of resort developers, extractive miners, or the highest bidders.

Mahalo nui,

Nicole Duarte

**SB-3148**

Submitted on: 2/17/2026 11:29:27 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaeleen K. Martinez	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of this bill. Born and raised in Hawaii nei, kanaka maoli, 55 yr old wife and mother I should be able to have a say regarding this bill.

During my lifetime I have been seeing the increasing blocking of access to public spaces by private landowners where my gathering rights are being violated. Please do not continue to cut off our access by passing this bill. Please ensure our access regarding our native Hawaiian gathering rights and access to shoreline regrdless of lease or land tenant. It's written in every deed and should be upheld to the highest level. Mahalo.

**SB-3148**

Submitted on: 2/17/2026 11:44:33 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Maximus	Individual	Oppose	Written Testimony Only

Comments:

I, Maximus oppose State Bill #3148 I believe us as the hawaiian people don't need anymore public use

Thank you, Maximus

**SB-3148**

Submitted on: 2/17/2026 11:45:50 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Shannon Rudolph	Individual	Oppose	Written Testimony Only

Comments:

~~wth?~~ WTF?

ABSOLUTELY NOT!!!

HAVE YOU ALL LOST YOUR GOD DAMNED MINDS UP THERE?

**SB-3148**

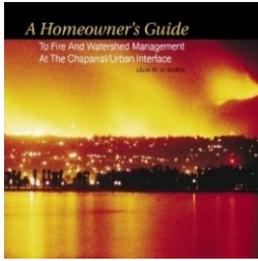
Submitted on: 2/17/2026 11:48:47 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sierra Mcveigh	Individual	Oppose	Written Testimony Only

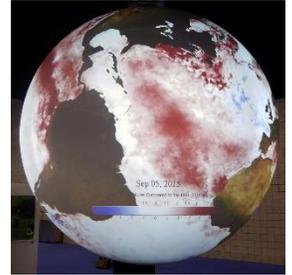
Comments:

I Sierra Mcveigh Oppose SB3148 and ask that you do the same to protect our beaches and our rights from privitization. Please protect our right to access now and for future generations. Our beaches are cultural, ecological and communal spaces for our people and should remain so.



From the Desk of Klaus Radtke, Ph.D. (U.C. Berkeley)  
Wildland Resource Sciences  
Fire-, Vegetation-, Watershed Management  
Disaster Mitigation

[Klaus.wh.radtke@gmail.com](mailto:Klaus.wh.radtke@gmail.com) (808) 230-1374



February 17, 2026

Aloha Chair Lee, members of the Senate Water, Land, Culture and the Arts Committee

RE: **SB3148.**

I strongly oppose this proposed bill. It should not have landed on your desks as Hawaii's laws protect public beach access for everyone.

As I understand, Hawaii's boundary between public beach and private land is legally defined by the "upper reaches of the wash of the waves." Referred to as the high-water mark, it is easily recognized by the line of debris left by the waves or the edge of natural vegetation. As I also understand, the Hawaii Supreme Court has consistently affirmed this definition, emphasizing that the boundary is dynamic and shifts with natural changes.

This is different from California where I spent my professional life and supported the California Coastal Commission in protecting public land inclusive beaches and beach access before retiring in Hawaii. Since all beaches in California are public up to the mean high tide line, it often required photo documentation during this precise period. Public access or prescriptive easement required much more research but were often established cooperatively.

SB3148 before you today does not require further research to understand our strong opposition. The proposed bill undermines public access to Hawaii's beaches everywhere as it could make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. This would create favorable presumptions for hotel and resort uses of public lands and beaches under the public trust, thereby excluding the public. Instead, DLNR must be reminded that it has to follow legal requirements that start with a presumption of public beaches in favor of public use, access, and enjoyment instead of the highest bidders.

**SB-3148**

Submitted on: 2/17/2026 11:58:28 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Pumehana Edayan Sarol-Silva	Individual	Oppose	Written Testimony Only

Comments:

I, Pumehana Edayan Sarol-Silva, oppose to bill SB3148. This governemnt overreach will not be allowed in Hawai'i. Implementing SB3148 may impose unnecessary burdens on local communities and businesses without adequately addressing the underlying issues it aims to resolve. Mahalo. Me ke aloha, Pumehana Edayan Sarol-Silva.

**SB-3148**

Submitted on: 2/17/2026 12:04:48 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kalena Shim	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair and Committee

My name is Kalena Shim, a native to Lahaina Maui and I am testifying in strong opposition of SB3148.

It is our birth right as kanaka maoli to have access to public lands for traditional and customary practices such as gathering food or materials, restoring ‘āina, protecting our resources, teaching keiki our way of life and more. Anything going against that will be met with further community organizing and mobilizing to make sure our rights are being upheld.

It is with respect I ask that this bill be deleted and instead do the opposite. Protect our public lands further so that we can live together WITH ‘āina and teach others to do the same.

Mahalo,

Kalena.

**SB-3148**

Submitted on: 2/17/2026 12:05:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaikea Nakachi	Individual	Oppose	Written Testimony Only

Comments:

My name is Kaikea Nakachi and I oppose SB3148. The definition and powers given for "public use" in this bill open up public trust resources for privatized priority. If the past is any indication, we CANNOT trust sacred wahi pana to be left to the devices of private entities. We must do everything we can to PROTECT public spaces like beaches FROM privatization. Please do not pass SB3148.

Mahalo nui,

Kaikea Nakachi

**SB-3148**

Submitted on: 2/17/2026 12:05:59 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keoni Shizuma	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I strongly oppose SB3148.

Public lands should be held for public use, not to be leased and used by private entities. This is a terrible bill. Currently, permits are allowed for use of public land for specific purposes, and that is sufficient. No entity should be able to lease these public lands and thus not be open for public use. That defeats the purpose of public lands.

This is a horrible bill.

Please do not pass this bill.

Mahalo for your consideration,

Keoni Shizuma

**SB-3148**

Submitted on: 2/17/2026 12:08:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Joell Edwards	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is **Joell Edwards**, a Wainiha resident and community advocate. I strongly oppose SB3148.

SB3148 would redefine “public use” of public trust lands in a way that opens the door to private, for-profit activities — including resort leases and other commercial uses — under the justification that they support an agency’s functions. This shifts the standard away from the constitutional presumption of public access, cultural protection, and environmental stewardship.

For rural communities like mine on the North Shore of Kaua‘i, public lands are essential for shoreline access, subsistence, and cultural practice. Redefining public use to include private, fee-based uses risks erosion of access, increased litigation, and long-term environmental harm. Hawai‘i’s public trust doctrine exists to protect shared resources for present and future generations — not to facilitate privatization.

If the Legislature proceeds with this measure, it must explicitly prioritize Native Hawaiian trust purposes, environmental stewardship, and public access over agency convenience; require clear findings of broad public benefit; and mandate strong public accountability and meaningful community consultation before any significant land disposition.

I respectfully urge you to oppose SB3148.

**SB-3148**

Submitted on: 2/17/2026 12:10:48 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Mina Ellison	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Mina Ellison and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Mina Ellison, Ke'ei, Hawai'i

**SB-3148**

Submitted on: 2/17/2026 12:11:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Plowman	Individual	Oppose	Written Testimony Only

Comments:

Oppose!

**SB-3148**

Submitted on: 2/17/2026 12:15:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Pieper	Individual	Oppose	Written Testimony Only

Comments:

**Testimony in Strong Opposition to SB 3148**

By Michelle Pieper

Resident and Educator, Wai‘anae Coast

Aloha Chair and Committee Members,

My name is Michelle Pieper. I am a lifelong resident of the Wai‘anae Coast, an educator serving this community for over 26 years, and the daughter of a fisherman. I submit this testimony in strong opposition to SB 3148.

I am appalled that this bill seeks to supersede the public’s right to access and use our beaches and shorelines. As Native people of this land, the kai is not scenery. It is sustenance. It is genealogy. It is identity. The ocean fed our families long before statehood, long before resort development, and long before private interests sought to control what has always been held in trust for the people.

Article XII, Section 7 of the Hawai‘i State Constitution clearly affirms the customary and traditional gathering rights of Native Hawaiians. I am one who has gathered limu, pipipi, ‘opihi, hā‘uke‘uke, shells, and food from our reefs since childhood. I was raised understanding that the kai is an extension of the ‘āina — and that both are held in public trust. These are not privileges. They are protected rights.

Hawai‘i’s beaches are cultural, ecological, and communal spaces. They are classrooms for our keiki, restoration sites for community groups, and places of subsistence for families. Native-led restoration efforts across our islands rely on access to shorelines and reefs. If SB 3148 limits public access in ways that prioritize development, how will cultural practitioners monitor limu growth? How will students conduct reef restoration? How will families gather food? Denying access undermines stewardship and interrupts intergenerational knowledge transfer.

This is not stewardship. This is dispossession disguised as policy.

Around the world, legal systems are beginning to recognize that nature itself holds inherent rights. The Whanganui River in Aotearoa (New Zealand) was recognized as a legal person under the Te Awa Tupua Act in 2017, affirming Māori worldview and guardianship. The Klamath River in California has also been granted legal personhood through tribal action, recognizing the

river's intrinsic rights and the sovereign authority of Native peoples. These precedents reflect a global shift toward protection — not privatization — of ancestral ecosystems.

SB 3148 moves in the opposite direction. It weakens the public trust doctrine and opens the door for private interests, including hotels and developers, to exert greater control over lands and waters that belong to the people of Hawai'i — present and future generations alike.

As Native Hawaiians, we are not trespassers in our own homeland. We are stewards. We are genealogically tied to these places. The kai fed my father. It feeds our community still. To restrict access under the guise of management is to sever Native people from our food sources, cultural practice, and constitutional protections.

I urge you to reject SB 3148. Protect public trust lands. Uphold Article XII, Section 7. Stand with Native stewardship, not privatization.

Mahalo for the opportunity to testify.

**SB-3148**

Submitted on: 2/17/2026 12:13:07 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
A Wilkie	Individual	Oppose	Written Testimony Only

Comments:

Please oppose Bill SB3148.

Please do not sell off Hawaii's beaches.

Please allow access to all.

Thank you for your time

Aileen

**SB-3148**

Submitted on: 2/17/2026 12:19:15 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashlie McGuire	Individual	Oppose	Written Testimony Only

Comments:

**KEEP OUR BEACHES PUBLIC**

Our beaches are not commodities they are lifelines for our sustainable futures. Every generation of Hawaiian Keiki should be able to create deep pilina with any and all spaces deemed culturally fit. Resorts should NEVER be equated with these rights. A'ole Bill 3148.

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Leilani Lindsey Kaapuni and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses exclude the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Leilani Lindsey Kaapuni  
Hilo, Hawaii

**SB-3148**

Submitted on: 2/17/2026 12:28:46 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Moana Ching	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Chair, Vice Chair, and Members,

I strongly oppose SB3148. The privatization of public resources including beaches would increase the exploitation of biocultural resources that kākaka ʻōiwi have already been displaced and seperated from over the last century.

Please put down this bill and work with and support the established collaborations between the state and numerous organizations to mālama and secure healthy and appropriate access to Hawai‘i natural resources.

Mahalo,

Moana Ching

**SB-3148**

Submitted on: 2/17/2026 12:30:28 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zachary Kubo	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Zachary Kubo and I am a resident of Maui County. This message is to express my opposition to Bill SB3148. The new designation of private hotel usage as "public use" is a dangerous precedent as it distorts the difference between lands held in the common public trust and the privatized usage of lands by the hotels in question. I humbly ask that you reconsider this bill.

Mahalo Nui Loa

**SB-3148**

Submitted on: 2/17/2026 12:38:35 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joseph Wat	Individual	Oppose	Written Testimony Only

Comments:

I looked through 171-10 HRS and it includes residential, hotel and resort. Leasing out public lands for the creation of a hotel or resort is not in line with public use. Please amend this to exclude commercial usage of public lands that undermine access to community resources like beaches, traditional harvesting practices, and public recreation.

Mahalo for your consideration.

**SB-3148**

Submitted on: 2/17/2026 12:39:47 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lana Albright	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my name is Lana Albright and I am a Maui resident. I am writing in strong opposition to SB3148.

I have so much respect for all peoples of this land and the natural resources that are so valuable to everyone.

This bill is dangerous to the public trust and a action that would legitimize the privatization of our public beaches.

The public trust exists to protect the people's right to access, use, and enjoy Hawaii's lands and waters-now and for generations to come.

SB3148 would set a devastating precedent: that public trust protections can be rewritten to serve private interests, undermining Native Hawaiian rights, public access, and intergenerational equity.

Please do not allow SB3184, you would be severing public trust.

Mahalo for your time.

**SB-3148**

Submitted on: 2/17/2026 12:41:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Dear Senator Lee and vice chair Inouye,

This bill attempts to allow the Department of Land and Natural Resources (DLNR) to define private hotel and resort uses of public lands and beaches as "public uses" under the public trust doctrine, entitled to a favorable presumption equal to or superseding the public's right to use, access, and enjoy these places.

The public trust doctrine, rooted in Hawaiian worldview, requires our public lands and resources to be protected, managed, and used for the benefit of the public, including both present and future generations. This doctrine has long been used to safeguard the public interest in public lands and resources - including our beaches, which are considered public lands up to the highest wash of the waves, during the season when the waves are the highest.

Private, exclusive, profit-driven uses of other public lands and watersheds for logging, mining, or industrial agriculture would also be entitled to a presumption in favor of such activities, under this incredibly misguided measure.

**Not only does this bill fly in the face of the public trust doctrine, but it specifically envisions allowing our beaches and public lands long used for recreational, subsistence, and cultural purposes to be sold off to the highest bidder, for decades at a time.**

If passed, this bill will only create confusion, legal challenges, and the erosion of our rights and that of our children and future generations, as beneficiaries of the public trust.

I urge you NOT pass SB3148.

Thank you for hearing our testimony,

Diane Ware Volcano HI 96785

**SB-3148**

Submitted on: 2/17/2026 12:47:50 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Scott Ryan	Individual	Oppose	Written Testimony Only

Comments:

RE: Strong Opposition to SB3148 – Relating to the Use of Public Lands

To the Honorable Chair, Vice Chair, and Members of the Committee,

My name is Scott Ryan, and I respectfully submit this testimony in strong opposition to SB3148.

This bill proposes to redefine “public uses” of public lands in a way that could broaden the scope of development allowed by government agencies. While this change may appear administrative in nature, its real-world consequences could be profound and irreversible. Public lands in Hawai‘i are not merely physical assets; they are sacred spaces, cultural foundations, and ecological treasures that belong not only to the State, but to the people, the history, and the future of these islands.

I am especially concerned about how this bill could be used to justify further development on sensitive and sacred lands such as the summit of Haleakalā. Haleakalā is widely recognized as wao akua — a realm of deep spiritual and cultural significance. It has already experienced decades of development, including multiple telescope installations and military infrastructure. Despite this existing footprint, new proposals continue to emerge, including plans by the U.S. Air Force to construct additional telescopes at the summit, even amid ongoing environmental concerns and public opposition.

Expanding the legal definition of “public uses” risks prioritizing institutional convenience over cultural preservation, environmental protection, and community consent. It may weaken safeguards that exist to ensure that public lands are managed responsibly and respectfully. Once sacred lands are altered, they cannot be restored to their original condition. The cumulative impact of incremental development is permanent.

Public lands should be protected, not gradually reclassified in ways that enable continued industrialization. These lands hold immeasurable cultural, spiritual, and ecological value. Decisions about their use must be guided by respect, restraint, and genuine consultation with the communities most affected.

I respectfully urge this committee to reject SB3148 and to uphold its responsibility to protect Hawai‘i’s public lands for present and future generations.

Mahalo for the opportunity to testify.

Respectfully submitted,  
Scott Ryan  
Kapolei, Hawai'i

**SB-3148**

Submitted on: 2/17/2026 12:48:36 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chipper Wichman	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Chipper Wichman and I am **STRONGLY OPPOSED** to SB3148.

This bill appears to be an attempt to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

Our beaches have to be protected from commercial use and preserved for our residents to use as a public trust resource. Please kill SB3148. .

Mahalo nui for the opportunity to testify. Aloha, Chipper

**SB-3148**

Submitted on: 2/17/2026 12:49:30 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Marcia Kemble	Individual	Oppose	Written Testimony Only

Comments:

Greetings Committee Members,

I am **STRONGLY OPPOSED** to SB3148. DLNR, through this horrible bill, is trying to make the privatization of our beaches a default option under the public trust.

It is appalling to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder. Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo for your consideration,

Marcia Kemble

Makiki

**SB-3148**

Submitted on: 2/17/2026 12:50:45 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
M J Duberstein	Individual	Oppose	Written Testimony Only

Comments:

Aloha Kakoa

Ua Mau ke Ea I ka Pono!

Ua Mau ke Ea I ka Pono!

Ua Mau ke Ea I ka Pono!

This proposal makes the sacred motto empty. The aina is sacred. Madame Pele would never, ever accept making her beaches into commercial property.

Indeed, you should seek measures to increase lands for the public to use for free and with no commercial use--ever.

I nd my ohan strongly oppose this bill.

Mahalo and malama pono.

MJ Duberstein

South Kihei

**SB-3148**

Submitted on: 2/17/2026 12:53:05 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherri Thal	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Sherri Thal, and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Sherri Thal, Kea'au, HI 96749

**SB-3148**

Submitted on: 2/17/2026 12:53:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Denise E Antolini	Individual	Oppose	Written Testimony Only

Comments:

Aloha WLA Chair Lee, Vice Chair Inouye, Members,

I OPPOSE SB3148.

It is poorly written, confusing, lacks clear justification, and noiceably is "B/R" so the agenda behind this bill is totally unclear.

Bad policy.

Mahalo,

Denise Antolini

Pūpūkea, Oa‘hu resident

**SB-3148**

Submitted on: 2/17/2026 12:56:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Pua'ala Pascua	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I submit this testimony in **STRONG OPPOSITION** of SB3148. This bill blatantly impedes the public's right to use, access, and enjoy public lands and beaches, by allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. Specifically, the bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Na‘u me ka mahalo,

Pua‘ala Pascua

**SB-3148**

Submitted on: 2/17/2026 12:57:05 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jeffrey Baucom	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Jeffrey Baucom and I am testifying in opposition to SB3148

SB3148 attempts to redefine private, exclusive hotel and resort uses of public lands and beaches as “public uses” under the public trust doctrine.

This is a dangerous distortion of the public trust and an unprecedented legal maneuver that would legitimize the privatization of our public beaches.

The public trust exists to protect the people’s right to access, use, and enjoy Hawai‘i’s lands and waters—now and for generations to come. SB3148 flips this principle on its head by granting private commercial interests a favorable presumption equal to—or even overriding—the public’s rights, even when those uses exclude the public entirely.

Calling exclusive resort control a “public use” does not make it so. Leasing public beaches to private entities for decades is not stewardship—it is alienation. This bill would allow DLNR, the very agency charged with safeguarding the public trust, to abdicate its responsibility and prioritize administrative convenience and private profit over constitutional obligations.

Hawai‘i’s beaches are not commodities. They are cultural, ecological, and communal spaces held in trust for all people. SB3148 would set a devastating precedent: that public trust protections can be rewritten to serve private interests, undermining Native Hawaiian rights, public access, and intergenerational equity.

Please do not allow the public trust to be hollowed out by legal redefinition. Reject SB3148.

Hold this bill. Protect our beaches and the rights of present and future generations.

Mahalo

**SB-3148**

Submitted on: 2/17/2026 12:59:15 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelsey Mapa	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am in strong opposition to this bill. Our beaches and other public land belong to everyone and should be enjoyed by all. Please shut SB3148 down immediately. Mahalo!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:03:52 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Holt	Individual	Oppose	Written Testimony Only

Comments:

It's unconscionable that this bill is being proposed - anywhere, but especially here in Hawaii. This is how one turns a place into somewhere like the Bahamas where the beaches become playgrounds for rich locals and tourists and the locals (who are already struggling to keep up) are relegated to second class citizens no longer allowed on their own land.

**DO NOT PASS THIS BILL!**

Mahalo

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:04:47 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jubilee Johanna	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Jubilee Westergaard and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Jubilee Westergaard

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:10:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Malia Marquez	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Malia Marquez and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Me ka ha'aha'a,

Malia Marquez

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:13:39 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Arika Hultquist	Individual	Oppose	Written Testimony Only

Comments:

Aloha chairperson and counsel members,

My name is Arika Hultquist and I have grown up in Hawai'i as a "water baby". I've swam, paddled, and surfed competitively throughout my life. The ocean is my playground. If the beaches are made private, there will be so many problems with the coastline and erosion. Most people who eat to own those areas don't understand the way the ecosystem works and it will be very damaging to the ocean and the wildlife.

I strongly oppose against this bill being put in place. Please listen to the community that is knowledgeable about our environment so we may keep our islands clean and safe.

Mahalo, Arika Hultquist

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:18:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Brilana Troublefield	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Brilana Troublefield and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Brilana Troublefield

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:18:49 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anna D	Individual	Oppose	Written Testimony Only

Comments:

No

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:18:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashley Lukens	Individual	Oppose	Written Testimony Only

Comments:

Please oppose this terrible bill!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:20:51 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David ashe	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill 3148. This bill is not for the people, it's a clear threat to the people of Hawai'i and thier access to public lands. While Stat 171-10 includes things like watershed use, recreational use, and agricultural use, there are also some very insidious uses of land that are also included in that statute which SB 3148 could and likely would bring about. These include mining, hotel development and outright privatization of land! This is a land grab and an opportunity for developers to secure more and more of what's left of Hawai'i. No to this bill.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:23:18 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nana-Honua Manuel	Individual	Oppose	Written Testimony Only

Comments:

I oppose this this bill. Native Rights enshrined in Chapter 12 Article 7 may not be changed by changing the definition of "Public Use" to include private use. Please do not allow this blatant "selling" of Native Rights to private entities. Public benefits do not include private interests.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:23:40 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Herrick	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Janice Herrick and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, while allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Janice Herrick

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:25:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Derek Kamakanaaloha Soong	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Derek Kamakanaaloha Soong and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Especially as a law student at Richardson, it is important for me to further the mission of CJ Richardson in protecting public access to beaches and other natural resources that we have customarily and traditionally relied upon since time immemorial.

Mahalo nui for the opportunity to testify,

Derek Kamakanaaloha Soong

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:26:51 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dee Green	Individual	Oppose	Written Testimony Only

Comments:

I stand in strong opposition to SB3148.

This Governor’s package bill is a deeply troubling effort by the Hawai‘i Department of Land and Natural Resources to sidestep the public’s right to access and enjoy our public lands and beaches. It would open the door for hotels and resorts to lease these lands for decades—effectively pushing the public out of spaces that belong to all of us.

According to the bill’s own justification, it seeks to treat certain private commercial activities listed under HRS §171-10 as equivalent to “public use” under the public trust doctrine. That shift would tilt the scales in favor of resort development on public lands and beaches, even when those uses limit or exclude the public.

Put plainly, this measure attempts to normalize the privatization of our beaches under the banner of the public trust.

It is alarming that the very agency entrusted with protecting our public lands and waters would pursue legislation that weakens those protections. The public trust is meant to safeguard resources for present and future generations—not to prioritize private profit or administrative convenience.

Our beaches are not commodities to be leased away to the highest bidder. I respectfully urge you to hold this misguided bill and protect the public’s rights under the trust.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:28:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joanna Maile Pokipala Resurrection	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I, Joanna Resurrection, oppose SB3148. Kānaka maoli need access to the shoreline. It's a part of our gathering rights. This bill will prohibit that. Stop benefiting yourselves with the list of land and at the detriment of Kānaka maoli.

Na'u,

Joanna Resurrection

**SB-3148**

Submitted on: 2/17/2026 1:32:10 PM

Testimony for WLA on 2/18/2026 1:01:00 PM



Submitted By	Organization	Testifier Position	Testify
cheryl burghardt	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Committee members,

I strongly oppose SB3148.

This measure does far more than “clarify” the law. It expands the definition of “public use” to include virtually any use a state agency chooses to carry out — even through leases, permits, or other agreements with private parties — so long as it claims the use supports the agency’s functions.

By redefining “public use” so broadly, the bill weakens the core protection of the public trust: the presumption in favor of keeping public lands available to the people. Instead, it would allow agencies to prioritize development and long-term dispositions while still labeling them as “public,” even when the public is locked out.

The justification admits that the public may be prohibited from accessing and utilizing public lands if access conflicts with an agency’s functions. That is a dramatic shift. Our public lands should not be reclassified in a way that makes exclusion easier and oversight harder.

The public trust is not meant to be stretched to fit administrative convenience. It is a constitutional duty to safeguard lands and resources for present and future generations. This bill moves us in the wrong direction by diluting that duty and lowering the bar for what qualifies as a legitimate public use.

For these reasons, I urge you to hold this measure. Our public lands must remain genuinely public.

Cheryl Burghardt

Nuuanu Oahu

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:35:09 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexander McNicoll	Individual	Oppose	Written Testimony Only

Comments:

I oppose **SB3148**.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:43:34 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Vanessa McCowan	Individual	Oppose	Written Testimony Only

Comments:

I oppose this change as the redefinition will allow backdoor usage of our public spaces by commercial entities to the detriment of the public. Absolutely criminal!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:50:22 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Loriann Kalualani Frank	Individual	Oppose	Written Testimony Only

Comments:

**I OPPOSE THIS BILL!!**

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:53:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Guy Kudo	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am **STRONGLY OPPOSED** to SB3148.

Our beaches and ocean are for all!

Please HOLD this stink measure.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 1:56:44 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeannette Gurung	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am VERY STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public. In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust. It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Jeannette Gurung, PhD.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:04:17 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
pamela burrell	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

SB3148 is a terrible idea!

Do not support the privatization of our beaches..

Don't take our beaches away. The aloha spirit dies with laws like this.

Please save Hawaii for the people and the voters. Not developers and rich folks who mostly don't live here.

Mahalo for voting no.

Pamela Burrell, Kalihiwai, Kaua'i

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:02:15 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
piilani schneider	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Pi'ilani Schneider and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Pi'ilani Schneider

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:13:18 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kimberly Ichiki	Individual	Oppose	Written Testimony Only

Comments:

WRITTEN TESTIMONY IN OPPOSITION TO SB3148

Relating to Exclusive Hotel and Resort Usage of Public Beaches

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Kimberly Ichiki, and I submit this written testimony in strong opposition to SB3148.

Public beaches in Hawai'i are held in trust for the people. They are not commercial amenities. They are shared spaces where families gather, where children learn to swim, where kūpuna walk at sunrise, and where residents find peace, connection, and cultural grounding. These beaches are one of the few remaining spaces where access is not determined by wealth, status, or reservation.

SB3148 moves us toward prioritizing private hotel and resort interests over the public's equal use of these lands. Even if access is technically preserved, designating exclusive or priority usage for commercial entities changes the nature of what it means for a beach to be public.

Residents already face increasing challenges accessing shoreline areas due to overcrowding, limited parking, and tourism-related pressures. Further carving out priority use for resorts will disproportionately impact local families who rely on these spaces for recreation, cultural practice, and mental well-being.

Hawai‘i’s shoreline is protected under the public trust doctrine. It should not be incrementally privatized or functionally reserved to enhance visitor experience at the expense of resident access.

Economic development must not erode the fundamental principle that our natural resources belong to the people of Hawai‘i, equally and without preference to commercial interests.

For these reasons, I respectfully urge the Committee to vote NO on SB3148.

Mahalo for your time and consideration.

Respectfully,

Kimberly Ichiki

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:13:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patti Choy	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am **STRONGLY OPPOSED** to SB3148 and want to know who dares to write this kind of stuff??? It's an insult to taxpayers and you are wasting our money by receiving a salary to generate this ridiculous piece of legislation.

Please **HOLD** this measure and never allow it to resurface.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:15:52 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kamalei Pai	Individual	Oppose	Written Testimony Only

Comments:

My name is Kamaleioilikeamaikalani Nicole Pai and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kamaleioilikeamaikalani N Pai

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:20:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye and Members of the Committee,

My name is Jennifer Mitchell and I am STRONGLY OPPOSED to SB3148.

The public should have the right to use, access, and enjoy public lands and beaches. DO NOT allow hotels and resorts to lease and exclude the public from such spaces for decades or longer. DO NOT let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust.

Mahalo for the opportunity to testify,

Jennifer Mitchell

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:20:42 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Christine A Villaflor	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern,

**HELL NO on SB3148**

I'm Kanaka 'Ōiwi and a life long resident of 'Ewa Beach and there is absolutely no way in hell we'll EVER allow our beaches to be privatized. I've been waiting for Josh Green to pull this crap and it makes sense he's trying to sneak this in before he leaves office but it's not happening.

ABSOLUTELY NOT

With zero aloha,

Christine Villaflor

**SB-3148**

Submitted on: 2/17/2026 2:22:01 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Arianna Rackle	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill 3148 sb all public lands in Hawaii need to remain available to the public.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:22:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Keli'i Ioane	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Keli'i Ioane and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:29:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Philippe Magloire	Individual	Oppose	Written Testimony Only

Comments:

I am absolutely opposed to this ridiculous bill that would result in restricted beach access to the public in Hawaii. As the Oahu Sierra Club indicated, this is one of the worst bills that they have ever seen.

Thank you for your consideration.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:31:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristina ZaZueta	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kristina ZaZueta and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kristina ZaZueta

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:31:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Mackenzie Harrington	Individual	Oppose	Written Testimony Only

Comments:

Aloha, my name is Makenzie Harrington, and I am in **strong opposition to SB3148**.

SB3148 attempts to redefine private, exclusive hotel and resort uses of public lands and beaches as “public uses” under the public trust doctrine. This is a dangerous distortion of the public trust and an unprecedented legal maneuver that would legitimize the privatization of our public beaches.

The public trust exists to protect the people’s right to access, use, and enjoy Hawai‘i’s lands and waters—now and for generations to come. SB3148 flips this principle on its head by granting private commercial interests a favorable presumption equal to—or even overriding—the public’s rights, even when those uses exclude the public entirely.

Calling exclusive resort control a “public use” does not make it so. Leasing public beaches to private entities for decades is not stewardship—it is alienation. This bill would allow DLNR, the very agency charged with safeguarding the public trust, to abdicate its responsibility and prioritize administrative convenience and private profit over constitutional obligations.

Hawai‘i’s beaches are not commodities. They are cultural, ecological, and communal spaces held in trust for all people. SB3148 would set a devastating precedent: that public trust protections can be rewritten to serve private interests, undermining Native Hawaiian rights, public access, and intergenerational equity.

Please do not allow the public trust to be hollowed out by legal redefinition. **Reject SB3148. Hold this bill. Protect our beaches and the rights of present and future generations.**

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:35:00 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brittany Penaroza	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Committee Members, my name is Brittany Penaroza, and I am writing in strong opposition to SB3148. Our beaches and public lands are held in trust for the people of Hawai‘i, and the state’s duty is to protect public use, access, and enjoyment—not weaken it.

SB3148 would redefine “public uses” of public lands in a way that could treat private, exclusive resort or hotel control of public lands—including beaches—as a “public use,” without requiring meaningful consideration of impacts to the public’s access and enjoyment. This is a dangerous shift: it invites more privatization, normalizes exclusion, and tilts the scales toward powerful private interests at the expense of residents, cultural practice, and the public trust.

For these reasons, I respectfully urge you to HOLD SB3148. Mahalo for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:35:13 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John Kirby	Individual	Oppose	Written Testimony Only

Comments:

I am strongly opposed to the proposed bill to the privatization of public beaches. This an obvious push by profit-driven entities to favor the minority of wealthy to monopolize and privatize one of the only truly public things we have in Hawaii: the beach. It is a disservice to the public and a frankly insulting. One of the best parts of living in Hawaii is having access to some of the most beautiful beaches in the world. Beaches are one of the few places that are still open to the public for anyone to enjoy. But if this bill were to be passed it would take away one of the few things we have to enjoy. As someone who was born and raised on Oahu I've seen how far things have gone with land development along the Kailua beach coastline. The mentality of wealthy landowners thinking they own land that is public property goes against the inherent respect for the land that is part of Hawaii. I strongly wish that you would oppose passing this bill for the sake of future generations. They may not be able to grow up with the same experiences of going to the beach with family and friends, build memories, and connect with nature.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:38:33 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am testifying in fierce and unequivocal opposition to SB3148, a bill that represents one of the most brazen assaults on public access and the public trust doctrine in recent memory. This legislation seeks to allow the Department of Land and Natural Resources to treat private, exclusive uses of public lands and beaches by hotels and resorts as "public uses" under the public trust—entitled to a presumption equal to or superseding the public's right to access, enjoy, and benefit from these shared resources.

Let us be clear about what this bill does. It takes HRS §171-10, which lists activities considered "public uses" for which public lands may be leased, and elevates private commercial hospitality operations to that same status. The result would be a presumption in favor of hotel and resort privatization of our beaches—even when such uses would exclude the public entirely. In plain language: SB3148 is designed to make selling our beaches to the highest bidder the default option under the public trust doctrine.

**The Public Trust Is Not Negotiable**

The public trust doctrine is not a suggestion; it is a constitutional mandate. Article XI, Section 1 of the Hawai‘i State Constitution declares that "all public natural resources are held in trust by the State for the benefit of the people." Our beaches, our shorelines, our waters—these belong to everyone. They are not assets to be monetized, leased, or handed over to corporate interests for exclusive use. They are the inheritance of every resident and the birthright of generations yet unborn.

For DLNR—the very agency charged as the primary trustee of these resources—to come before this Legislature seeking authority to privatize our beaches is nothing short of a dereliction of duty. It is an abdication of their constitutional kuleana. And it is dumbfounding to witness a trustee agency argue that it should be empowered to sell what it is sworn to protect.

**What "Exclusive Use" Really Means**

Proponents will likely frame this as economic development or tourism support. But exclusive use means exactly what it says: the public excluded. A stretch of beach reserved for a resort's guests,

with signage warning others to keep out. A shoreline accessible only to those who can afford a hotel room. A public trust resource transformed into a private amenity.

This is not hypothetical. Around the world and elsewhere in the United States, we have seen what happens when public beaches are treated as commercial assets. Access narrows. Communities are displaced. The fundamental relationship between people and their shoreline is severed. And once a beach is privatized, it is nearly impossible to restore to public use.

### **The Presumption Is Backward**

SB3148 would create a favorable presumption for private, exclusive hotel and resort uses under the public trust. This gets the law exactly backward. The public trust doctrine exists to protect public rights and access. The presumption must always favor the public, not private interests seeking to exclude them. Shifting that presumption to favor privatization is a betrayal of the trust doctrine's very purpose.

### **Generations at a Time**

The bill would allow these arrangements to extend for generations—long-term leases that lock in exclusive use for decades, foreclosing public access not just for current residents but for their children and grandchildren. This is not temporary accommodation; it is permanent alienation of public resources.

### **Our Beaches Belong to All of Us**

Hawai'i's beaches are not hotel amenities. They are not resort assets. They are not revenue streams to be maximized. They are the places where families gather, where children learn to swim, where kūpuna fish and reflect, where Native Hawaiian cultural practices are exercised and passed down. They are the shared inheritance of every person who calls these islands home.

SB3148 would begin the process of selling that inheritance, piece by piece, to the highest bidder. It must be stopped.

I urge you to reject this bill in the strongest possible terms. Uphold the public trust. Defend public access. Protect our beaches for the people, not for private profit.

Mahalo for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:43:07 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Mahealani Kamau	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Māhealani Kamau and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Māhealani Kamau

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:44:55 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Caren Diamond	Individual	Oppose	Written Testimony Only

Comments:

RE: Strong Opposition to SB3148

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

Please do not support this proposed amendment to HRS §171-1. The stated purpose of SB 3148 is

To specify that public uses of public lands include uses by an agency either directly or through disposition, that support the agency's functions and are consistent with the uses described in section 171-10, Hawaii Revised Statutes (HRS). This bill seeks to define "public uses" as any use by an agency, either directly or through a disposition, that supports the agency's functions including but not limited to the uses described in section 171-10, HRS.

The proposed language seems to conflict with the very meaning of public use. The bill proposes to make private activities listed under HRS §171-10 equivalent to public use under the public trust doctrine.

In re Waiāhole Ditch Combined Contested Case (2000) (“Waiāhole”), among its core mandates, the public trust “requires the government of the State to preserve [trust resources] for the use of the public,” “freed from the obstruction or interference of private parties.” Id. at 136, 9 P.3d at 448.

Please do not support SB 3148. It conflicts with long standing public trust rights.

Thank You, Caren Diamond

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:50:34 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kealakai Hammond	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kealakai Hammond, Honolulu

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:49:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kristen Perreira	Individual	Oppose	Written Testimony Only

Comments:

Once we sell out Hawaii's beaches, we will never stop. The beach is what defines Hawaii, if we give it all away to the highest bidders we will have nothing left. It will start with beaches and won't end until every inch is gone.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:50:44 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Taacia Kukui Akana	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

‘O wau nō ‘o Kukui, he kupa ‘ai au no Waimānalo, and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

T. Kukui Akana.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:53:28 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Blake Medeiros	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Blake Medeiros and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Blake Medeiros

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:56:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gabrielle Rochon	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Gabrielle Rochon and I am **STRONGLY OPPOSED** to SB3148. It is a terrible idea!!

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Gabrielle Rochon

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:57:32 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anthony Peckham	Individual	Oppose	Written Testimony Only

Comments:

My name is Anthony Peckham. I live in Waimea. I totally oppose allowing the Board of Land and Natural Resources to privatize beaches and other public lands without any consideration of the impacts to those of us who live and pay our taxes here. Mahalo.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 2:57:40 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jennifer Kau'i Young	Individual	Oppose	Written Testimony Only

Comments:

I wholeheartedly oppose SB3148 and its measures to create private beaches in Hawai'i. Absolutely not. The wellbeing of our 'āina is the kuleana of the collective and we cannot take care of this kuleana if some of our 'āina is privatized for the few. In addition, privatizing beaches conflicts with codified Native Hawaiian gathering rights. This is Hawai'i, not a gated community.

Me ka mana,

Kau'i Young

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:05:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Krista Joan Donaldson	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB3148. Let's keep our beaches and shorelines open and accessible for the public.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:06:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Robert Zelkovsky	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose SB 3148. Keep our beaches free, no private ownership.

Thank you,

Dr Robert Zelkovsky

50 year Kaua`i, Hawai`i resident

**SB-3148**

Submitted on: 2/17/2026 3:06:40 PM

Testimony for WLA on 2/18/2026 1:01:00 PM



Submitted By	Organization	Testifier Position	Testify
Marion Paul	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am STRONGLY OPPOSED to SB3148.

This bill does not honor the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public. This is unacceptable.

In other words, the DLNR, through this bill, can make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:09:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mark Barnes	Individual	Oppose	Written Testimony Only

Comments:

Opposed to authorizing DLNR to grant exclusive rights in public lands to private interests without any requirement to consider public interests like public use, access or enjoyment.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:10:19 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kyrie Puaoi	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kyrie Puaoi and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kyrie Puaoi

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:11:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Destiny Berinobis	Individual	Oppose	Written Testimony Only

Comments:

The Public Trust doctrine must be upheld. Our beaches, our lands, our waters are held for everyone. We already do not have enough homes, now they want to take away more.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:13:36 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roxane Keliikipikaneokolohaka	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it has the potential to allow the exclusive leasing of public lands to private interests. We already see this kind of privatization happening on beaches where luxury homes and resorts are being built.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:16:03 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Keri Zacher	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is [your Keri Zacher and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,  
Sincerely Keri Zacher

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:15:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
malcolm mackey	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Malcolm Mackey, and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Malcolm Mackey

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:17:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Malia Kealoha	Individual	Oppose	Written Testimony Only

Comments:

KEEP HAWAIIAN LANDS IN HAWAIIAN HANDS!  
don't change the defination of public land use

mahalo

malia Kealoha

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:25:21 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sue	Individual	Oppose	Written Testimony Only

Comments:

My name is Sue Alana and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to

Sue Alana

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:25:21 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue	Individual	Oppose	Written Testimony Only

Comments:

My name is Sue Alana and I am **STRONGLY OPPOSED** to SB3148. This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public. In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust. It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public. Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure. Mahalo nui for the opportunity to

Sue Alana

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:31:45 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cardenas Pintor	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I OPPOSE this bill. Do not pass this bill. Please defer.

Mahalo nui,

Cardenas Pintor

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:31:49 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

It is shameful to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this disgraceful measure.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:33:57 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chanel Emmsley	Individual	Oppose	Written Testimony Only

Comments:

This bill is unconstitutional, as it impedes the ability of native people, including myself, to practice our cultural and religious beliefs.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:38:35 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Heather Nguyen	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3148!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:35:20 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jason	Individual	Oppose	Written Testimony Only

Comments:

I Jason Langtad oppose SB3148

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:42:19 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
cheryl hendrickson	Individual	Oppose	Written Testimony Only

Comments:

This bill is an abomination. In direct disregard of last years court reaffirmation of the public trust. In that the public has a right to access public beaches and the DLNR needs to consider that before handing these resources to resorts and private interests. This bill would justify the privatization of our public beaches as consistent with the public trust.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:52:40 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Lauren Ballesteros-Watanabe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Lauren and I am **STRONGLY OPPOSED** to **SB3148**.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. **Please HOLD this terribly misguided measure.**

Mahalo nui for the opportunity to testify,

Lauren Ballesteros-Watanabe

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:49:57 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Diliaur Tellei	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and members of the committee:

I'm opposing this bill in concern that it would open the path to limiting public access to areas that should be available to residents and visitors, not just private beneficiaries. We have enough examples of that in the state already.

Mahalo for your consideration.

Diliaur Tellei

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:56:11 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Liz Tatola	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

I am STRONGLY OPPOSED to SB3148.

This is a repulsive use of legislation, and a highly shameless attempt to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. .

Do not allow this to go forward. The land is for the people.

Thank you for the opportunity to testify.

Liz Tatola

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:56:43 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Vera	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Vera S Williams and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/.../sess.../bills/SB3148 .pdf](https://www.capitol.hawaii.gov/.../sess.../bills/SB3148.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Vera S Williams

**LATE**

**SB-3148**

Submitted on: 2/17/2026 3:56:43 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristina Kaimiola	Individual	Oppose	Written Testimony Only

Comments:

I, Kristina Kaimiola, strongly oppose bill SB 3148. Hawaii's beaches should remain accessible to the public, not treated like an investment property. The ocean is part of mother nature, nobody owns the waters and the people of Hawai'i, especially those that live here should be able to enjoy the ocean from any access point around the island. Too much has been taken away from the people already. Please do not support this bill and the short and long term effects it would cause. Thank you for your consideration, Kristina Kaimiola

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:01:51 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
tiare lawrence	Individual	Oppose	Written Testimony Only

Comments:

Public trust resources is for future generations and need to be protected

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:04:17 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Oppose	Written Testimony Only

Comments:

NO! NO!

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Mary True and in case you didn't notice, I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. I AM TIRED OF THE ELITES TAKING ADVANTAGE OF THE COMMON PEOPLE IN EVERY LITTLE LOOPHOLE THEY CAN CREATE OR FIND!

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public. I'M REMINDED OF THEIR RECENT ACTIONS CONCERNING AQUARIUM COLLECTING. WHAT'S GOING ON? I ALWAYS RESPECTED AND VALUED THE DLNR, BUT THEY'RE LOOKING MORE LIKE THE ENEMY OF HAWAII'S PEOPLE DAILY.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure

Thanks for your attention to this matter. Aloha and Mahalo

Mary True, Pepe`ekeo, 96783

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:13:46 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Arinaga	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Elena Arinaga and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Elena Arinaga

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:17:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Tabatha Knudson	Individual	Oppose	Written Testimony Only

Comments:

Dear honorable committee members,

I staunchly oppose this bill and urge you to vote against it. The right to beach access is granted in our core documents--this bill would directly challenge this right and prevent access at a time when local access to resource is being limited.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:23:46 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kerri Fischer	Individual	Oppose	Written Testimony Only

Comments:

Stop selling out to these big corporations!! Private beaches restrict the locals who barely make ends to survive here.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:25:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kate Thompson	Individual	Oppose	Written Testimony Only

Comments:

Opposition to SB3148 – Require Parcel-Specific Review and Public Hearings

February 17, 2026

Dear Chair C. Lee, Vice Chair Inouye, and Members of the Senate Water and Land Committee:

I oppose SB3148. I am surprised to see this introduced as a Governor’s measure.

The bill is vague and grants broad authority to classify lands as suitable for “commercial and industrial development” without clear standards or required public process. Public land dispositions should not occur through generalized categories or bulk determinations.

Any transfer, lease, or conversion of public lands must occur one parcel at a time, with mandatory public hearings and transparent findings demonstrating a clear public benefit.

Public lands are a trust asset. Commercial and industrial use cannot become a blanket justification for their disposition.

Please defer SB3148.

Mahalo,  
Katie Thompson

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:25:22 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Crystal Leilani Dudoit Huihui	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:26:59 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Laurie K Akana	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Laurie Akana, a HI resident and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the local residents; public. Let us not allow privatization of public places for the elite to enjoy. Why can't the Aloha spirit include residents of HI?

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Laurie K. Akana

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:33:46 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Stephanie Austin	Individual	Oppose	Written Testimony Only

Comments:

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

I find it hard to believe that the DLNR would **THINK** of violating one of Hawaii's most important tenets: that our shoreline and beaches are a **PUBLIC TRUST** and protected from corporate interests!!

**SB-3148**

Submitted on: 2/17/2026 4:33:53 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeff Mcknight	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Jeff McKnight, and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches by allowing hotels and resorts to lease these spaces and exclude the public for decades or longer.

As described in this measure's [justification sheet](#), this bill seeks to treat private activities listed under HRS §171-10 as public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Jeff McKnight

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:38:57 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
santosh krinsky	Individual	Oppose	Written Testimony Only

Comments:

We should not turn our public beaches into private enterprise zones. When all the best beaches are gobbled up by big money interests, what do the residents have left in this high cost state. The public access to all beaches is not for sale

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:52:28 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Colleen Mane	Individual	Oppose	Written Testimony Only

Comments:

As a native Hawaiian, I absolutely oppose SB3148

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:55:11 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Beryl Blaich	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

No. Absolutely, no.

SB3148 bill is written in language so convoluted and vague that its purpose is not clear. Or perhaps some obfuscation is its intent? Also, I see no rationale or discussion attached to it.

For whom is Senator Kouchi introducing it?

Thank you.

Beryl Blaich

PO Box 1434 Kilauea, HI 96754

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:55:19 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kathleen Hoppe	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kathleen Hoppe and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, culturally disrrsrespectful attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public. A'ole pono.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust. It is extremely disappointing to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo,

Kathleen Hoppe

**LATE**

**SB-3148**

Submitted on: 2/17/2026 4:57:52 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacynthia Mitchell	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai kakou -

1) SB 3148 directly goes against the constitution of Hawai'i with regards to land access and right of it's people

2) US Law 103-150 acknowledges that the Hawaiian people never gave up sovereignty to their land therefore, Kanaka should be the only one's determining what should be done with their land - not politicians

3) SB3148 is horrible optics for any politician who votes in favor. You are saying that tourists are more important that the people of Hawai'i.

4) continuing to vote in favor of bills like this is why more and more people are changing their party affiliation. Stop the bleeding and vote for the people.

Mahalo -

Jacynthia Mitchell

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:08:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noa Napoleon	Individual	Oppose	Written Testimony Only

Comments:

My Name is Noa Napoleon,

I am opposed to SB 3148, that amends the definition of Public Lands. I am opposed to this bill because it will allow state agencies like DLNR to justify issuing long term lease of Public Lands to private entities. Amending the definition of Public Lands can be used by state agencies to restrict the public fromn using Public Recreational lands and beaches in the manner set out in the Hawai'i Revised Statues. Among the rights that are codified therein are Native Hawaiian gathering rights, which are protected under Article XII, Section 7 of the Hawai'i State Constitution and HRS §§1-1 and 7-1. Mahalo for your time.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:08:54 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan wadas	Individual	Oppose	Written Testimony Only

Comments:

This bill is unacceptable for Hawaiian citizens. Do not vote this in. You are not doing what the citizens of these islands want. You all work for us, not yourselves and your benefits. This bill is wrong. You all need to stand up and vote for what is best for the citizens of our islands.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:15:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sabine Rayson	Individual	Oppose	Written Testimony Only

Comments:

This is the beginning of the end for Hawai'i if this is passed. Beaches should never be privatized or have access restricted by private organizations or businesses. All residents of Hawai'i should have access to the beaches here. If this passes, we will truly and completely be stripping native Hawaiians of their rights and access to the shoreline. Remember how do many make their livings on these shores, how so many feed their families from these waters. The recreation is also another aspect. Are we going to truly allow any business or wealthy person to hoard beaches and prevent others from simply walking, sitting, swimming, surfing? Can you imagine a privatized Hawai'i? The soul will be gone. The Aloha will be gone. A natural resource will be placed completely in the hands of those who seek profit, instead of the hands of the people. Shame on the one who wrote this proposal, and shame on those who would see this happen to the Hawaiian people.

**SB-3148**

Submitted on: 2/17/2026 5:14:45 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Casey Takayama	Individual	Oppose	Written Testimony Only

Comments:

Public lands should be accessible to anyone. It is unfathomable why this kind of bill is even introduced for discussion.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:21:07 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
shantee brown	Individual	Oppose	Written Testimony Only

Comments:

strongly oppose. this goes against protecting the public trust as stated in hawaii's constitution.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:23:37 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lorraine Waianuhea	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Lorraine Waianuhea and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Lorraine Waianuhea

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:25:50 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Princeton Yamaguchi	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Princeton Yamaguchi and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Princeton Yamaguchi

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:28:13 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Hanna Miko	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Hanna Miko and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is an attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. The beach belongs to EVERYONE. Especially the tax paying full time residents of the state of Hawai'i.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Hanna Miko, O'ahu

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:29:30 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Kalawe	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**LATE**

Aloha Chair, Vice Chair, and Members of the Committee,

My name is Kaelyn Leval, and I am writing in strong opposition to SB3148.

SB3148 aims to redefine private, exclusive, hotel and resort uses of public lands and beaches as “public uses” under the public trust doctrine. This would be an irresponsible, dangerous, and unprecedented move that stands to erode necessary protections for our natural marine resources that have been purposefully enshrined in our state’s constitution.

The public trust doctrine exists to protect and ensure the people’s right to access, use, and enjoy Hawai’i’s lands and waters — now and for generations to come. SB3148 effectively disregards the principles behind this doctrine by granting rights reserved for the public as a whole to private, commercial interests. The presumption that any private or commercial entity could be granted equal or even superseding rights to any natural resource held in trust by the state is a threat against all of Hawai’i’s people across all generations — past, present, and future.

First, the fabric of many of our communities, both rural and urban, rely on public trust access to our shorelines. It is one of the key factors that has helped Hawai’i’s beaches remain among the most beautiful in the world. When locals and kānaka are able to access shorelines for subsistence or recreation, we always abide by the rules we were taught growing up - to leave places better, cleaner, and more cared for than we found them. When we are able to share these places with tourists equitably, we are granted the opportunity to talk story with them and connect with them over the why and how we keep Hawai’i beautiful. I can recall many times I have visited beaches fronting hotels and had great conversations with visitors. It is always worthwhile to share knowledge of place with them, help them make good memories caring for the beach together, and inspire them to take some aloha back to their hometowns. The people of Hawai’i will not be able to organically share these special moments with visitors if certain shorelines are reserved purely for visitor use by the industry. By allowing the tourism industry to shut kama’āina out of the ongoing stewardship of these places, it is clear to me that the visitors’ experiences when visiting our islands will also be harmed irreparably.

Second, businesses are not people. Industry can never replace community when it comes to knowing what is right when stewarding our unique and limited resources. The tourism industry has shown Hawai’i’s people time and time again its disregard for stewardship of lands they preside over. Historically, there are endless examples of this across the state of the industry’s disregard for our beautiful home. Offences ranging from the destruction of critical ecosystems that our native flora & fauna need to survive

to the building of shoreline armoring such as seawalls that have been proven to worsen erosion over time. To give any amount of legally authorized control of the stewardship of these resources up to private interests would increase the risk of cheap short-term solutions and more damaging development littering our shores.

Finally, by granting control over any public lands or resources to private entities, DLNR and the board would be clearly rejecting their legal kuleana to steward and protect these lands in perpetuity. It is your duty as members of this board to uphold the public trust. I humbly ask that you honor this responsibility which we have entrusted you with by joining me and the many others who want to preserve these lands for our communities today and the keiki of tomorrow. I urge each of you to stand in strong opposition to SB3148.

Mahalo nui for the opportunity to testify on this matter,  
Kaelyn Leval

**LATE**

**SB-3148**

Submitted on: 2/17/2026 5:55:30 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susie Davis	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Susie Davis and I am **STRONGLY OPPOSED** to SB3148.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:00:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kealii Pooloa	Individual	Oppose	Written Testimony Only

Comments:

Aloha mai e Committee chairs Sentator Lee i Senator Inouye,

I am submitting testimony in strong OPPOSITION to SB 3148. I do not support any changes to the Public Trust Doctrine that moves to privatize what is protected in the public trust. We will not give up access to our beaches to private leases for hotel activites, private interests, lodging and mining.

As a kanaka oiwi, I refuse to allow this state to further disenfranchise kanaka oiwi and local people. Changes such as these continue to uplift the interests of tourism and other billionaire private interests over that of the people of this land. We are NOT second rate citizens. Our beaches, our lands, and our waters are for EVERYONE. And it is our kuleana to steward these places with the next seven generations in mind.

Please vote to kill this bill. Your descendants will thank you.

Na‘u no me ka ha‘aha‘a,

Keali‘imakamana‘onalani

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:12:39 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy Taylor	Individual	Oppose	Written Testimony Only

Comments:

I STRONGLY oppose SB3148. Hawaii's beaches should remain open to all our citizens and visitors alike. Places like California where you can only access the ocean at very limited places and times is heartbreaking. One of the things most special about Hawaii is the fact that our beaches are open to us all. Just because some people/tourists have lots of money does not make them more deserving of the enjoyment of Hawaii's beaches.

Thank you for your consideration of my thoughts.

Aloha.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:13:23 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eric Moreno	Individual	Comments	Written Testimony Only

Comments:

I was just made aware of this potential legislation a few minutes ago. As such, I haven't been able to do enough research and understanding of intent, nor unintended consequences.... Though, I want to go on record as stating that all Hawaiian beaches should be unrestricted for the public with full access, unless the US Military has restricted access... It has been alluded to that this Bill might allow for hotel, private, commercial, or other leasing of Hawaiian beaches. If that is a potential outcome of this bill then I adamantly oppose it.

**SB-3148**

Submitted on: 2/17/2026 6:35:26 PM

Testimony for WLA on 2/18/2026 1:01:00 PM



Submitted By	Organization	Testifier Position	Testify
Nonkululeko Maphalala	Individual	Oppose	Written Testimony Only

Comments:

I deeply disagree with any decision to change Hawai'i law related to public access to lands. As a life long Hawaii resident, our state's commitment to ensuring the public has access to its natural resources is a critical foundation of Hawaii and its culture. To change this goes against Hawaii values and spits in the face everyone who calls this state home. Als the lack of simplicity in the phrasing of this law means that most residents will struggle to understand the implications of this bill. This is in bad faith and goes against all our democratic values.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:18:13 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Deirdre Madrid	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Deirdre Madrid and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Deirdre Madrid

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:38:58 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Healoha Pascua	Individual	Oppose	Written Testimony Only

Comments:

My name is Healoha Pascua and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Healoha Pascu

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:51:07 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Patrick McDermott	Individual	Oppose	Written Testimony Only

Comments:

Beaches are public in Hawaii.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:46:04 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Britten	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Angela Britten and I am **STRONGLY OPPOSED** to SB3148.

I am appalled by the Department of Land and Natural Resources (DLNR) intention to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer. The fact that there are no "public beaches in Hawaii" has been a longstanding benefit of being a Hawaii resident. The idea that we would take that access away from residents to benefit visitors is ludicrous.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust. Which sounds a heck of a lot like a sell out.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,  
Angela Britten

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:51:55 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Walter Dillon	Individual	Oppose	Written Testimony Only

Comments:

Beaches are all open to the public and they need to stay that way.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 6:53:49 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Zoë Villaflor	Individual	Oppose	Written Testimony Only

Comments:

I am appalled by the proposition to change the definition of public use for public land! Hawaii's public land MUST remain unowned and available to the public! Shame on Kouchi and the anonymous (cowardly) party who proposed this change.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:00:27 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Steve Hawkins	Individual	Oppose	Written Testimony Only

Comments:

This is a horrible bill that appears to offer privatization of public lands / resources for the benefit of private entities. Essentiall the bill sells private access to lands in the public trust without regard to the impact to the people of the islands.

**SB-3148**

Submitted on: 2/17/2026 7:06:00 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kehaulani Coleman	Individual	Oppose	Written Testimony Only

Comments:

Thank you

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:12:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Faith Burns	Individual	Oppose	Written Testimony Only

Comments:

Please do not make public places available to be used exclusively by private parties such as hotels etc. Hawaii has never had "private" beaches and never should. Mahalo

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:06:25 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katja Bajema	Individual	Oppose	Written Testimony Only

Comments:

Honorable chair and committee members,

SB3148 goes against everything the people of Hawaii believe in when it comes to using public lands. We are a unique place and this is one of the main reasons. Do NOT pass this bill.

Thank you,

Katja Bajema

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:22:14 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Bambara	Individual	Oppose	Written Testimony Only

Comments:

I strongly OPPOSE SB 3148.

The public trust doctrine, rooted in Hawaiian worldview, requires our public lands and resources to be protected, managed, and used for the benefit of the public, including both present and future generations.

This doctrine has long been used to safeguard the public interest in public lands and resources - including our beaches, which are considered public lands up to the highest wash of the waves, during the season when the waves are the highest.

This bill attempts to allow the Department of Land and Natural Resources (DLNR) to define private hotel and resort uses of public lands and beaches as "public uses" under the public trust doctrine, entitled to a favorable presumption equal to or superseding the public's right to use, access, and enjoy these places and this is untenable!

Private, exclusive, profit-driven uses of other public lands and watersheds for logging, mining, or industrial agriculture would also be entitled to a presumption in favor of such activities, under this incredibly misguided measure, which is also sneaky and EVIL.

**Not only does this bill fly in the face of the public trust doctrine, but it specifically envisions allowing our beaches and public lands long used for recreational, subsistence, and cultural purposes to be sold off to the highest bidder, for decades at a time.**

**Why Would you as our representatives or the Governor support such an evil greedy bill?! Please OPPOSE this bill and SUPPORT THE Will of the people to maintain the aina and her beaches for the people you are supposed to represent and not the profiteering swine who think they can own Earth or STEAL it from the People.**

**Please hear my plea for the good people of this aina and OPPOSE this Bill SB3148!**

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:20:58 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joshua DeMello	Individual	Oppose	Written Testimony Only

Comments:

Aloha Senators,

I am in opposition to this bill because it allows for the privatization of public lands under the definition of public use. This means hotels can lease the shoreline fronting their hotels and pay the DLNR for exclusive use and leave our people out.

Public lands are for public use, not for use by the agency to sell out to developers or private entities. We went through this with PASH and we will continue to defend the rights of the public to public lands. Changing the definition of public use to include state agencies and their cronies will privatize what is public and be the end of Hawaii as we know it. A little dramatic but we are already seeing the gagillionaires buying up real estate and ignoring public access.

This your chance to vote no, not to defer it, or leave it for another day. Vote NO on SB3148.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:33:35 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Ramsey Calimlim	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Ramsey Calimlim, and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Ramsey Calimlim

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:40:02 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Erika Empey	Individual	Oppose	Written Testimony Only

Comments:

To whom it may concern:

This Bill is an egregious attempt to steal land from the citizens of Hawaii to give to the highest bidder. All my adult life, I have been proud to see that Hawaii protected these areas for everyone to use, and I am disgusted to see the Governor trying to limit access to only those deemed fortunate, aka wealthy enough, to use land taken away from the public, under the guise of defining public land in an absurd and ridiculous way. Stand up for what is right, and do not let this happen!

Erika Empey

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:42:40 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Holly Neves	Individual	Oppose	Written Testimony Only

Comments:

I am writing to express my strong opposition to the proposed bill SB3148 that would allow for the privatization of beaches in Hawaii. For generations, Hawaii's beaches have been a public trust, accessible to all residents and visitors alike. This bill threatens to undermine this fundamental principle, potentially restricting access and altering the very essence of what makes Hawaii so special.

The idea of privatizing beaches, particularly in front of hotels, raises serious concerns about equity and fairness. It could create a situation where access to the shoreline is limited to those who can afford to stay at these establishments, effectively excluding local communities and other visitors. This is not in line with the Aloha Spirit, which values inclusivity and respect for all.

Furthermore, privatizing beaches could have negative impacts on the environment and local culture. Public beaches are often gathering places for community events, cultural practices, and recreational activities. Restricting access could disrupt these traditions and diminish the quality of life for many. I urge you to reject bill SB3148 and uphold the long-standing tradition of public access to Hawaii's beaches.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:43:24 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Shiraishi	Individual	Oppose	Written Testimony Only

Comments:

I oppose bill SB3148/HB100 as it creates a means for corporations and the "Epstein Class" to takeover public lands and block the public access to these public lands. Even if there are protections to keep public access, the corporations and the elites will find ways to continually block public access once they have acquired the public lands. In Hawaii, too much prime land, whether private or public is in the hands of the ultra rich, while the taxpayers of Hawaii are continually price out of homes. The State government keeps making promises to make more affordable homes available but nothing seems to happen: if an affordable homes project is available, it's in a condo or home project where there are too few units for the amount of purchasers. The main issue I have is that too many concessions are given to corporations and the elite with their broken promises to uphold agreements but continually take advantage by buying our elected officials and the people of Hawaii are ALWAYS the ones left to pay the price.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:45:47 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Anthony calimlim	Individual	Oppose	Written Testimony Only

Comments:

I Highly opposed

Keep public access open to public always

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:51:56 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelei Tancayo	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Michelei Tancayo and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Michelei Tancayo

**LATE**

**SB-3148**

Submitted on: 2/17/2026 7:52:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sheila Medeiros	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. It violates the **\*\*public trust doctrine\*\***, a core principle enshrined in Hawaii's Constitution (Article XI, Section 1), which holds that all public natural resources—including land, water, and other resources—are held in trust by the State for the benefit of the people, present and future generations.

This legislation would enable further encroachment on our precious lands, undermining the State's duty to protect and conserve them rather than allowing private or improper uses to erode public access, cultural values, ecological balance, and traditional rights.

We must halt this infringement on our shared lands and uphold the trust responsibilities owed to Hawaii's people and Native Hawaiian communities. Please reject this bill to safeguard our natural and cultural heritage.

vr

Sheila Medeiros

**SB-3148**

Submitted on: 2/17/2026 7:55:45 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nancy and Errol Rubin	Individual	Oppose	Written Testimony Only

Comments:

We love our beaches, and feel a personal responsibility to have them public and available to all our people. Renting them out to private interests, will lead to more and more elimination of us. This feels dangerous and unnecessary. There must be better ways to make money in the state than to take away our public beach access. I am not sure why this is being proposed, but I am against taking away our beaches to private interests. Living here and having to host our visitor industry is a challenge. Do not make it harder than it already is.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:00:20 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Leina	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Leina Fisher and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Leina Fisher

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:00:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelly Lum	Individual	Oppose	Written Testimony Only

Comments:

Hello,

I am writing to oppose SB123. This bill would serve no one but big tourist industries - hotels and restaurants. Public beaches is one of the the things that I've always admired about Hawaii, when places like California have miles and miles of beaches dominated by big hotel and businesses. Just no. The beaches of Oahu are already limited space with tons of tourists. We don't additionally need to be competing with big hotels for access to public beaches.

The land and beaches belong to everyone! This bill is certainly not serving the locals who live here. Additionally, we have ENOUGH hotel industry and their influence is already broad enough.

Thank you for hearing my testimony.

Kelly Lum

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:15:17 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
pahnelopi mckenzie	Individual	Oppose	Written Testimony Only

Comments:

**THIS IS RIDICULOUS! I OPPOSE SB3148.**

The idea of the title ‘public use’ be changed to mean state decided for state agency. This is terrible in the scheme of everything happening in the world the nerve to change the term of public use to continue to rob these lands and access rights of humans is terrible. Shame to even create such a bill or try do these things. Govern Green you are trying to sell off and harm these islands for profit that will only harm Hawaii further. Hawaii is not yours to continue to piece off. I am sorry to sound so short but please this is absolutely ridiculous. Kill this bill

Oppose SB 3148

Thank you Pahnelopi McKenzie

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:16:24 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jan K Baldado	Individual	Oppose	Written Testimony Only

Comments:

Aloha,  
  
I OPPOSE SB 3148.  
  
Mahalo nui.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:29:33 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kellee Hearther	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kellee Hearther, of 'Aiea, and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, while allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public. **THIS IS NOT OKAY!**

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is supremely disappointing and actually rather unbelievable to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harm that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kellee Hearther

**SB-3148**

Submitted on: 2/17/2026 8:30:25 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Juvana Soliven	Individual	Oppose	Written Testimony Only

Comments:

I am writing in opposition of SB 3148, which would redefine the use of public lands. Public lands owned by private entity, by common sense definition, would no longer be public and accessible. Please, stop selling out Hawaii to the highest bidder. Our coastlines and public lands should be accessible to people who live here. It should not be treated as privileged space for people who pay to exploit it.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:33:26 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sahara Rivera	Individual	Oppose	Written Testimony Only

Comments:

Greetings,

Respectfully, I urge the committee on Water, Land, Culture and the Arts to vote in opposition of bill SB3148.

Per the public trust doctrine, rooted in Hawaiian worldview, our beaches, our lands, and our waters belong to ALL of us, the public. They do not belong to the highest bidder to profit off of. In a state where nearly everyone has to maintain two jobs in order to survive, we, the people, have the right to enjoy and have free access to public lands regardless of income. Public lands serve many purposes from, equity and social inclusion, economic benefits, health and well being to cultural importance. It's time to stop taking from the public and give them back the land that was taken from them.

- Sahara Rivera

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:34:10 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lita Mccoy	Individual	Oppose	Written Testimony Only

Comments:

This bill will do nothing but create chaos and further animosity amongst these corporations trying to remove indigenous rights from our people. It is abhorrent to even consider this as the Locals who reside here are extremely active in ocean activities and is the heart of our community and communion to gather and pay tribute to this great land. The tourists come in and litter and disrespect the land here and we are left doing the clean up. Has no one learned from Covid the devastation it caused prior to Covid and the recovery we had in reduced tourism?

The beach is and should always be public. When you purchase property commercial or residential and have beach access they aren't buying the beach they are buying the view!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:36:31 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
melissa tomlinson	Individual	Oppose	Written Testimony Only

Comments:

Hawai'i public land should not be utilized/ privatized in ways that break the public trust doctrine. This bill does exactly that and absolutely shouldn't be supported. Oppose this bill

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:39:58 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Micah Bukoski	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair and Members of the Committee,

I respectfully submit testimony in opposition to this measure.

While I understand the intent to clarify the meaning of “public use,” the proposed definition is overly broad and risks weakening Hawai‘i’s constitutional public trust obligations.

By defining “public uses” as any use by a state agency — including through lease, permit, or other agreement — that “supports its functions,” this bill effectively allows agencies to self-define what constitutes public use. This creates a standard that is expansive, discretionary, and difficult to meaningfully challenge.

Hawai‘i’s public lands are held in trust for the people under Article XI of the Hawai‘i Constitution. Courts have consistently emphasized that this trust carries an affirmative duty to protect public access, Native Hawaiian rights, and long-term resource preservation. The presumption should remain in favor of broad public access and transparency.

While this bill states that it is not intended to restrict public trust principles, the practical effect of expanding the definition of “public use” may reduce the weight given to public access when balancing agency leases or exclusive uses of public lands.

Public lands — particularly shoreline and culturally significant areas — require heightened protection, not expanded discretion.

For these reasons, I urge the Legislature to reconsider this measure to ensure that:

- Public access remains explicitly prioritized;
- Agency discretion is clearly limited;
- The constitutional public trust doctrine remains fully preserved and strengthened.

Mahalo

Micah Bukoski

Lāwa'i, Kaua'i

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:43:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Candace Vizcarra	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose!!!

Hawaii is NOT 4 SALE †

**SB-3148**

Submitted on: 2/17/2026 8:42:31 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ashley Mai Demaline	Individual	Oppose	Written Testimony Only

Comments:

I stand with the Sierra Club of Hawaii

Keep Public Lands In Public Hands!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:45:50 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Roberto Viernes	Individual	Oppose	Written Testimony Only

Comments:

Dear Senators,

I highly encourage you to **OPPOSE** this bill as it would effectively privatize our public beaches. The beach and its access should be available to all. It should not be owned by any resort or hotel company. In Jamaica, they allowed hotels and resorts to own the beaches on their property and now citizens and locals no longer have access to them. Please think about the generations before and after us and how this will impact our progeny and our aina. Again, I highly encourage you to vote **AGAINST** this bill.

Sincerely,

Roberto Viernes

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:46:22 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Rae Leong	Individual	Oppose	Written Testimony Only

Comments:

I submit my testimony in writing to clearly state my position that I OPPOSE this bill as it relates to beach access. We should have the right to enjoy our beaches without any limitations to include gathering rights and swimming.

What becomes of our keiki's future if they cannot enjoy the beach or sustain themselves from the oceans bounty?

I ask you all to reject this bill.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:47:49 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ruth Blum	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I do not support SB 3148. Everyone should have access to public land (especially beaches for ocean access for fishing/diving/spearfishing and mountains for hiking and foraging, for food sovereignty and cultural practices). Access to public land should not be restricted or privatized. People should NOT have to pay to access public lands. We already pay enough taxes to help "maintain" them.

Mahalo,

Ruth

**LATE**

**SB-3148**

Submitted on: 2/17/2026 8:48:30 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Justin	Individual	Oppose	Written Testimony Only

Comments:

I'm in strong opposition of SB3148

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:16:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lisa Kennedy	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

This is one of the worst bills I've ever heard of. Privatizing access to our beaches must never happen. The public, our community, must have the ability to access our beaches. The beaches in Hawai'i were provided to all of us, for our lives enjoyment and that of all our people!!

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:25:07 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Afton Kelly	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Afton Kelly and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Afton Kelly

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:29:53 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaileah Smart	Individual	Oppose	Written Testimony Only

Comments:

My name is Kai Smart and I am a 12 year Hawai'i resident writing to strongly oppose SB3148. Any weakening of the rights of all of Hawaii's residents to freely enjoy their beaches goes against the very spirit of these islands. I travel a lot in the Mediterranean, where most beaches are privatized, and the only tiny "free and public" section of beach is absolutely clogged with people, while the for-profit beaches stand empty. I don't want to see this fate happen to Hawaii- for one thing we do not have the space. The locals would be relegated to overcrowded, 3rd class status. We must stop selling every piece of the islands for the profit of people that don't even live here. Please HOLD this measure and keep the beaches for all! Mahalo, Kaileah Smart

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:30:42 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alyssa	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. This serves as a reflection of the people our local and state government are serving.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:44:29 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
David Leake	Individual	Oppose	Written Testimony Only

Comments:

Aloha Committee Members,

I urge you to vote this proposal down because it clearly contravenes the commitment of the State of Hawaii to maintain open access to the entire coastline. I urge you to consider the intense public outcry and opposition if you do go down this path of increasing obeisance to the Epstein class over the interests of the maka'āinana.

Mahalo for your attention,

David Leake, Kaneohe

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:48:02 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
KEALA FUNG	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Keala Fung and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Keala Fung, Fisherwoman and shoreline resources gatherer

Honolulu Hawaii

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:56:08 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Mai Hall	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Public lands are not state lands. They are Hawaiian kingdom lands. Ku'u one hānau.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:59:38 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Macalum Araneta	Individual	Oppose	Written Testimony Only

Comments:

My name is **Macalum Araneta** and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Macalum Araneta

**LATE**

**SB-3148**

Submitted on: 2/17/2026 9:59:47 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Andrea Kawabata	Individual	Oppose	Written Testimony Only

Comments:

I am in opposition of SB3148 as every resident of Hawaii should have free, easy access to Hawaii's shoreline. Private only access should never be an option.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:00:23 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Justin teves	Individual	Oppose	Written Testimony Only

Comments: The current language ties “public uses” to functions that support agency missions. Without definitions of minimum access standards or public benefit tests, there is a real possibility that lands traditionally open to public use could be: • Leased for exclusive or commercial purposes that limit resident access. • Reclassified in ways that reduce opportunities for community recreation, cultural practice, or environmental education. Public lands belong to all Hawai‘i residents. Bill language should protect access, not weaken it.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:06:11 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jeffrey F Mizuno	Individual	Oppose	Written Testimony Only

Comments:

Text

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:06:42 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Lindsay Medeiros	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,  
My name is Lindsay Medeiros and I appreciate the opportunity to testify strongly against SB3148.  
This bill asks you to do something fundamentally backwards: treat private hotel and resort leases as equivalent to public use under Hawaii’s public trust doctrine. What that really means is defaulting to privatization of our beaches—locking out the public for decades or longer in the name of administrative convenience.  
Let me be direct. The Department of Land and Natural Resources serves as trustee for our public lands, waters, and resources. That’s not a suggestion. It’s a legal obligation to protect access and use for present and future generations. This bill asks them to abandon that obligation. It asks them to sell our beaches to the highest bidder and call it public trust management.  
I don’t understand how an agency entrusted with protecting public resources can propose making their privatization the default option. I don’t understand it, and neither will the communities who lose access to these spaces.  
This isn’t the first time DLNR has failed to understand what it owes us. Don’t let it happen again. Please hold this measure and protect what belongs to all of us.  
Mahalo nui for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:19:36 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kalani Garcia	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Kalani Garcia and I am STRONGLY OPPOSED to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Kalani Garcia

**SB-3148**

Submitted on: 2/17/2026 10:22:24 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Elena Bryant	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Elena Bryant and I am **STRONGLY OPPOSED** to SB3148.

I am a lifelong resident and spent my youth swimming, diving, fishing, paddling, surfing, and recreating along the beaches around our island home--including many of the beaches that are now overrun by tourists and blocked off by hotel beach chairs and umbrellas. Now, as a mākuā, I'm thankful for the continued ability to access these beaches so that my children can enjoy the same activities that were such an integral part of my upbringing. This bill would allow hotels and resorts to lease and exclude the public from such spaces for decades or longer. I strongly urge this Legislature to oppose DLNR's attempt to justify the privatization of our public beaches as consistent with the public trust.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify, Elena Bryant

**SB-3148**

Submitted on: 2/17/2026 10:26:47 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kyle Oba	Individual	Oppose	Written Testimony Only

Comments:

To: Chair Lee, Vice Chair Inouye, and members of the Committee on Water, Land, Culture and the Arts

Hearing: Feb 18, 2026 1:01 PM

Re: Opposition to SB 3148

I am writing in opposition to SB 3148. My name is Kyle Oba and I am a member of the diving community in O‘ahu, not that this should matter at all. Every resident of Hawai‘i should be upset about this bill. I am very disappointed that this bill has made it this far. Please protect the land as a public trust as it is and is meant to be. There are no shortcuts to doing the right thing..

Thank you for considering my testimony.

Thank you Chair Lee and Vice Chair Inouye, and members of the Committee on Water, Land Culture and the Arts for this opportunity to testify on this important bill.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:36:35 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cybil Moran	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

A'ole! Oppose this bill and keep public beaches public for all to enjoy! It's the only thing we have left. Mahalo nui

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:41:23 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Timothy Morgan	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Opposition to SB 3148

This measure raises serious constitutional concerns regarding the State’s fiduciary obligations under Article XI, Section 1 of the Hawai‘i Constitution and the well-established public trust doctrine.

The public trust requires that public lands be managed for the benefit of present and future generations, not merely for administrative convenience or revenue generation. By broadly redefining “public uses” to include agency functions carried out through leases and permits, SB 3148 risks diluting the standard by which public trust lands are evaluated and justified.

The term “public use” has historically required a demonstrable public benefit that is not pretextual. Expanding the definition to encompass virtually any agency activity conducted via lease arrangements may reduce meaningful scrutiny over whether the primary beneficiary of a disposition is the public or a private entity.

This bill may have the practical effect of:

- Expanding administrative discretion while narrowing effective judicial review
- Allowing revenue generation alone to satisfy “public use”
- Weakening the evidentiary burden required to demonstrate genuine public benefit
- Facilitating long-term exclusive control of public lands without ensuring meaningful public access or equitable benefit

While the bill does not amend the Constitution, it alters the statutory framework through which public trust obligations are interpreted and applied. The Legislature must ensure that statutory definitions do not create pathways that undermine constitutional safeguards through broad or ambiguous language.

Public lands in Hawai‘i carry historical, cultural, and intergenerational obligations — including ceded lands responsibilities. Any expansion of agency authority to lease or otherwise dispose of these lands should include explicit standards, guardrails, and enforceable criteria demonstrating:

1. Direct and substantial public benefit
2. Preservation of access where appropriate

3. Protection against disproportionate private enrichment
4. Transparent public accountability

Absent such safeguards, SB 3148 risks shifting the balance from public stewardship toward administrative flexibility, with long-term consequences for local communities and public trust integrity.

For these reasons, I respectfully urge careful reconsideration or amendment of this measure.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:41:23 PM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Charles-Michael victorino	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,  
My name is Charles-Michael Victorino and I am a resident of Oahu. I am testifying in opposition to SB 3148. Hawai‘i’s public lands are held in trust for the people. Under the public trust doctrine, the State has a fiduciary responsibility to manage these lands for the benefit of present and future generations. Any action that diminishes public access, control, or long-term stewardship raises serious public trust concerns. The duty of this body is to the people of Hawai‘i, not to private business entities. Our public lands are meant for public use, public access, and public benefit — not for private sale or transfer in ways that prioritize private interests over community needs. Once public land is transferred or sold, it is extraordinarily difficult — if not impossible — to reclaim. Decisions made today will permanently shape access, stewardship, and equity for future generations. I respectfully urge you to carefully consider your constitutional and fiduciary obligations to the people of Hawai‘i and to reject SB 3148.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:44:43 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Breanne Fong	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Breanne Fong and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Breanne Fong

**LATE**

**SB-3148**

Submitted on: 2/17/2026 10:47:00 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Lanson	Individual	Oppose	Written Testimony Only

Comments:

Don't support this nonsense. Beaches should be accessible to everyone.

**SB-3148**

Submitted on: 2/17/2026 10:52:13 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Gonzales	Individual	Oppose	Written Testimony Only

Comments:

This cannot stand, Hawaii is for the Kanaka Maoli and Kama'ania. Hawaii's beaches are sacred and belong to the residents of Moku o Keawe. This proposed bill is destructive to our ecosystem, cultural practices and free access to our nature resources. Keep Hawaiian lands in Hawaiian lands! We, our aina, and our wai are not for sale to foreign investors that hoard and deny our legal rights to access. I insist that this bill be killed immediately and never be revised. The Government has stolen so much from us already, we need to draw a line in the sand and cease making Hawaii a playground for immoral and corrupt.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:08:26 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Montserrat	Individual	Oppose	Written Testimony Only

Comments:

Hawaiian lands are not public lands for the state

**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:24:59 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Gage Waiwaiole	Individual	Oppose	Written Testimony Only

Comments:

My name is Gage, and I am writing to strongly oppose SB3148.

As a kānaka maoli, I carry the responsibility of protecting our people, our ‘āina, and the future of our communities. Bills like SB3148 may appear administrative or practical on paper, but in reality, they risk causing long-term harm to Native Hawaiian families who are already facing disproportionate challenges in Hawai‘i.

Native Hawaiians continue to experience the highest rates of displacement, housing insecurity, and economic hardship in our own homeland. Any legislation that expands government authority, reduces protections, or shifts resources away from local communities must be treated with extreme caution.

SB3148 raises serious concerns because it may:

- Further burden working families who are already struggling
- Contribute to the erosion of local control and community voice
- Prioritize outside interests over the needs of Hawai‘i residents
- Accelerate displacement of Native Hawaiians from our ancestral lands

Our people have endured generations of policies that were passed “for the good of the public,” yet resulted in loss of land, loss of opportunity, and loss of trust. We cannot afford more laws that deepen those wounds.

Hawai‘i’s leaders should be focused on policies that uplift Native Hawaiian communities affordable housing, access to education, cultural preservation, and economic stability not measures that risk increasing inequality or limiting community protections.

For these reasons, I respectfully urge you to vote NO on SB3148.

Mahalo for the opportunity to testify,

Gage Waiwaiole

**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:48:44 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alina Maui	Individual	Oppose	Written Testimony Only

Comments:

As a Native Hawaiian who grew up relying on the beautiful beaches of my home to learn and play, the idea of not being able access my home resources is terrifying. I grew up on the sands of Makaha Beach and Po‘aki Bay. I paddled all my life. It helped me better connect with my ancestry and family. My ‘ohana has been a part on Nā Keiki ‘o Ka Mō‘i Canoe club for 3 generations. The children who are able to grow up in the hoe wa'a world know that our beaches are invaluable. I am from a family of ocean people and the beach is how we came together. The state needs to take accountability for the poor care of our beaches that they have been allowing to happen all this time. Pokai Bay no longer has its coconut groves because of how poorly the state cares for this area. My job is currently on the beach, and the keiki that we care for rely on the ocean to help them develop. We have found that children who have regular access to the ocean are better behaved, are able to regulate themselves faster, and many of them use the skills we teach them to help feed their families. Native Hawaiian Ocean Stewardship practices have already been greatly restricted, and only now, when we are finally able to even think about starting to feed our communities, do you want to change things again. This bill is HEWA and cannot be allowed to go through. The issue is you cannot live within the means of this island, he wa‘a he moku, he moku he wa‘a.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:50:41 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Iris Kosene	Individual	Oppose	Written Testimony Only

Comments:

The public trust doctrine, rooted in Hawaiian worldview, states that the beaches, lands, and water belong to all of us. They must remain public to ALL.

**LATE**

**SB-3148**

Submitted on: 2/17/2026 11:50:51 PM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chantel Graham	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill

**LATE**

**SB-3148**

Submitted on: 2/18/2026 12:00:55 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Daniel Chen Bowman	Individual	Oppose	Written Testimony Only

Comments:

I oppose this horrible bill

**LATE**

**SB-3148**

Submitted on: 2/18/2026 12:21:24 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
ashley monden	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Members of the Committee,

I write in strong opposition to SB 3148.

As a fifth-generation local, my roots in Hawai'i run deep. Growing up, my grandfather would take me to various beaches across our islands — all with open access to the public. Those days were more than outings; they were lessons in respect for the ocean, in family connection, and in what it means to belong to this place. I hope someday to take my own children to those same beaches, to share the same experiences that shaped me.

These lands do not belong to agencies or private interests. They belong to the people of Hawai'i and to the generations yet to come.

SB 3148 expands the definition of “public use” in a way that could allow government agencies to restrict access or dispose of lands under the justification that it serves an agency function. This is deeply concerning. Public trust lands were never intended to be treated as assets that can be repurposed in ways that limit community access or undermine long-standing cultural, environmental, and subsistence rights.

For Native Hawaiian communities and local families, beaches are not simply recreational spaces. They are places of gathering, fishing, ceremony, healing, and connection to our ancestors. Weakening the meaning of “public use” risks opening the door to development or transfers that could permanently alter these spaces.

The public trust doctrine exists to protect present and future generations. It imposes a constitutional obligation on the State to preserve and safeguard these lands — not redefine them in ways that make it easier to restrict access or diminish community rights.

Once public land is lost or its purpose diluted, it cannot easily be restored. We must protect what was protected for the people and future generations.

I respectfully urge you to reject SB 3148 and instead strengthen protections that ensure our public beaches remain truly public — for our keiki and for the generations still to come.

Mahalo for the opportunity to testify.

mahalo,

Ashley Monden

**LATE**

**SB-3148**

Submitted on: 2/18/2026 12:30:10 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Carmela Resuma	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 12:42:36 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jackie Keefe	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha Chairs Lee and Inouye and Members of the Committees,

My name is Jackie Keefe and I am in **strong opposition of SB3148**.

I realize this testimony is late so all I will say is "WHAT? NO!"

Mahalo for your consideration,

Jackie Keefe, Lahaina

**LATE**

**SB-3148**

Submitted on: 2/18/2026 1:10:59 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Margarita L. Alo-Chu	Individual	Oppose	Written Testimony Only

Comments:

Testimony in Strong Opposition to Hawai'i Senate Bill 3148 (2026 Regular Session)

Relating to the Use of Public Lands

Introduced by Ronald Kouchi

To: Members of the Hawai'i State Senate

From: Margarita Alo-Chu

Position: Strong Opposition

Aloha Chair, Vice Chair, and Members of the Committee,

I respectfully submit this testimony in strong opposition to SB3148, which seeks to redefine "public uses" of public lands as activities conducted by an agency, either directly or through disposition, in support of agency functions under section 171-10, Hawai'i Revised Statutes.

While the stated purpose of the measure is to clarify land management and strengthen stewardship, the proposed definition raises serious constitutional, cultural, and public trust concerns that cannot be overlooked.

First, Article XII, Section 7 of the Hawai‘i State Constitution protects the traditional and customary rights of Native Hawaiians. These rights include gathering practices, access to shorelines and upland areas, subsistence activities, and cultural protocol. By narrowing “public uses” to agency-driven activities, SB3148 risks marginalizing constitutionally protected practices that occur independent of formal agency action. Public lands are not solely administrative assets; they are living cultural landscapes.

Second, under Article XI of the Hawai‘i Constitution, the State holds public lands and natural resources in trust for the people of Hawai‘i. This Public Trust Doctrine obligates the State to protect access to beaches, shorelines, water resources, and ceded lands for present and future generations. Any statutory change that prioritizes agency functions over community access risks undermining these trust responsibilities.

As a Native Hawaiian educator born and raised in a homestead community on the Wai‘anae Coast, I witness daily how access to ‘āina sustains identity, culture, and well-being. Our students learn through gathering, observing, and practicing stewardship. Redefining “public use” in a way that could restrict informal or customary access sends a troubling message: that public lands are primarily for institutional use rather than community relationship and cultural continuity.

Additionally, the bill does not explicitly reaffirm that nothing within its provisions shall be construed to diminish Native Hawaiian traditional and customary rights. Without clear constitutional safeguards written into the statute, the measure creates ambiguity that could lead to administrative overreach or unintended restrictions.

Public lands in Hawai‘i include former Crown and Government lands held in trust. These lands carry fiduciary and moral obligations far beyond routine management authority. Any legislative action affecting their use must center constitutional protections and community access as primary, not secondary, considerations.

For these reasons, I respectfully urge the Committee to defer or reject SB3148 in its current form. At minimum, the bill must be amended to explicitly affirm that the definition of “public uses” includes constitutionally protected Native Hawaiian practices, gathering rights, shoreline access, and public trust purposes.

Mahalo for the opportunity to provide testimony and for your continued commitment to protecting the people and 'āina of Hawai'i.

Respectfully submitted,

Margarita Alo-Chu

**LATE**

## Testimony in Strong Opposition to SB 3148

**To:** Chair and Members of the Committee

**From:** Uilani Michelle Pisano

**Subject:** Strong Opposition to SB 3148 – Relating to Public Access

### Statement of Opposition

I am writing to express my **strong opposition** to SB 3148. Our beaches and coastal trails are the lifeblood of our islands and our people, preserved through the foresight of our ancestors and the legal framework of the Hawaiian Monarchy. This bill, as currently written, threatens to erode the definition of "public access" by opening the door to private use and commercial encroachment.

**Our beaches must remain a public trust, not a private commodity.**

### Key Concerns:

- **Betrayal of Public Trust:** From the time of the *Kuleana* Act to modern Hawaii Revised Statutes, the law has been clear: access to the sea, the sand, and the pathways to them belong to the people. Allowing private interests to occupy or control these spaces goes against the very spirit of the *Law of the Splintered Paddle (Māmalahoe Kānāwai)* and the protections set forth by our Kupuna.
- **Commercial Overreach:** We have seen throughout the islands how "private use" quickly turns into restricted access for locals. Whether through physical barriers, "permitted" private events, or commercial scaling, every inch given to private use is an inch stolen from the community.
- **Cultural Preservation:** Our elders fought to ensure that the next generation could fish, gather, and find peace at the shoreline without asking for permission from a private entity. SB 3148 risks dismantling that legacy for short-term interests.

### Conclusion

Our shoreline is not a "resource" to be divided or leased—it is our home and our sanctuary. We must honor the work of those who came before us by keeping public lands strictly for public use. I urge this committee to **kill this bill** and protect the integrity of our coastlines for all the people of Hawai'i.

**Mahalo for your time and for standing with the community**

**-U'ilani**

**LATE**

**SB-3148**

Submitted on: 2/18/2026 4:19:23 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
fatutalie kahuanui	Individual	Oppose	Written Testimony Only

Comments:

Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Fatutalie Kahuanui and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Fatutalie Kahuanui

**LATE**

**SB-3148**

Submitted on: 2/18/2026 4:20:23 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alyssa Kim	Individual	Oppose	Written Testimony Only

Comments:

I do not support this measure as it would reduce public rights and access to the beaches for the general public in Hawaii- we citizens and homeowners of Hawaii do not want billionaire investors and developers encroaching further upon our public beaches for profit with the help of our elected government officials. Pls and thank you.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 4:51:13 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alexis kamakanoe Ornellas	Individual	Oppose	Written Testimony Only

Comments:

Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Alexis Kamakanoe Ornellas and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses include excluding the public.

In other words, the DLNR does not want to follow a simple court order to start with a presumption in favor of public use, access, and enjoyment, before allowing a hotel to exclude the public from a public beach. Instead, the DLNR is choosing to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its kuleana to present and future generations of the public.

Please do not let the DLNR sell out our public beaches and continue to undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Alexis Kamakanoe Ornellas

**LATE**

**SB-3148**

Submitted on: 2/18/2026 5:04:21 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristan Krohnert	Individual	Oppose	Written Testimony Only

Comments:

S.B. 3148 is a dangerous power-grab disguised as “clarification.” By redefining “public use” to mean whatever a state agency wants to do (including leasing public trust lands to private operators), the bill flips the public-trust presumption on its head. Instead of requiring agencies to prove a use truly benefits the people of Hawai‘i, it lets them label almost any restricted or commercial activity “public” simply because it serves their own bureaucratic functions.

This guts centuries of public-trust law that demands lands remain open for recreation, cultural practice, gathering rights, and general public enjoyment. The bill’s own impact statement admits it will keep the public out — exactly the opposite of what the trust requires. In a state already struggling with loss of beach access, over-development, and ceded-land obligations to Native Hawaiians, we do not need legislation that makes it easier for agencies to fence off and monetize public lands under the fig-leaf of “agency function.”

Vote NO on S.B. 3148. Protect public lands for the public — not for agency convenience.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 5:04:30 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Inda	Individual	Oppose	Written Testimony Only

Comments:

To the Honorable Chair and Members of the Committee:

My name is Jennifer Inda, and I am a resident of Hawai‘i. I am submitting this testimony in strong opposition to Senate Bill 3148.

SB3148 claims to clarify the definition of “public uses” of public lands, but in reality, it dangerously expands the authority of state agencies to redefine what qualifies as “public use” — without clear limits, protections, or accountability to the people of Hawai‘i.

The bill states that public uses may include any use by an agency that supports the agency’s functions, either directly or through disposition. This language is extremely broad and vague. It effectively allows agencies to decide for themselves what “public use” means, even if that use restricts access, displaces communities, or benefits narrow interests rather than the public.

Most alarming, the bill itself acknowledges that the public may be prohibited from accessing public lands if access conflicts with an agency’s function. That admission alone should be enough to raise serious concern. Public lands exist for the people — not to be quietly reclassified in ways that reduce access, limit traditional practices, or prioritize bureaucratic convenience over community needs.

For many of us in Hawai‘i, public lands are not just property on a map. They are cultural spaces, places of healing, subsistence, recreation, spiritual practice, and generational connection to ‘āina. These lands are held in trust for current and future generations. Any legislation that weakens that trust, even indirectly, is unacceptable.

SB3148 lacks:

- Clear definitions of what constitutes acceptable “public use”
- Safeguards to protect environmental and cultural resources
- Guarantees of continued public access
- Meaningful public oversight

Instead, it creates a pathway for reinterpretation, privatization, restricted access, and potential misuse of lands that belong to all of us.

This bill does not strengthen public land policy — it erodes it.

At a time when Hawai‘i is already facing housing pressures, environmental loss, cultural displacement, and deep mistrust in government land management, SB3148 moves us in the wrong direction. We need more transparency, stronger protections, and greater community involvement — not vague language that hands more power to agencies behind closed doors.

For these reasons, I respectfully urge you to vote NO on SB3148 and stand with the people of Hawai‘i in protecting our public lands, our access, and our connection to ‘āina.

Mahalo for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 5:18:03 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
John McCarley	Individual	Oppose	Written Testimony Only

Comments:

All public beaches are that, PUBLIC beaches. The state has no authority to control operation of beaches with only exception to maintenance and safety of equipped beaches. The respective departments that clean and maintain the beaches are already lax in regards to upkeep of said beaches.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 5:42:40 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Eliza Yoshida	Individual	Oppose	Written Testimony Only

Comments:

Public land use should be for the PUBLIC. Not for profit of corporations, hotels and those looking to exploit us further. I do not support this proposal nor will I ever support a bill that takes away more access from the local people. Greed and corruption have already taken away so much from our people!

I STRONGLY OPPOSE SB3148.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 5:56:58 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michael Daniels	Individual	Oppose	Written Testimony Only

Comments:

Keep our beaches public and open to all as they have always been.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:01:33 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kekoa Young	Individual	Oppose	Written Testimony Only

Comments:

I Kekoa Young, as a Kanaka Maoli oppose SB3148.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:21:26 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nicole Nakata	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Nicole and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, while allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

This bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Nicole Nakata

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:17:05 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
april plackett	Individual	Oppose	Written Testimony Only

Comments:

Why is this always done under our noses. Why are they always trying to sell off the Land to the highest bidder. Why must we constantly be vigilant. We trust these people in power to protect those of us who live in this paradise and love it immensely, and then we find out they're trying to sell it off and then jet off to wherever after they get their kickbacks. Meanwhile we live with the consequences of then selling off public lands. Selling Hawaiian's soul without her consent. Trying to squeeze every dollar instead of appreciating what beauty is around you. Do you want this to be a pay to play. Pay to park everywhere, pay to go to the beach, pay to drive, pay to live. Pay to just exist. We are taxed to death, driven out of our homes. People come here who think they've bought in and paid for their piece. But that's not Hawaii. Hawaii is aloha. Hawaii is sharing. Hawaii is community. And they are trying desperately to break that up and sell it off. Sell it until there is no community, there is no sharing. Until there is no aloha. And after theyve sold off all aloha. After they've destroyed everything, they'll move onto the next paradise. please vote against this bill

please protect Hawaii

**SB-3148**

Submitted on: 2/18/2026 6:21:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

**LATE**

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
kayden radhe	Individual	Oppose	Written Testimony Only

Comments:

Hawaii is NOT for sale! The law allowing access to ALL individuals to access Beaches and Ocean must remain in effect as this supports all beings to be free to connect with the source of all life. The ocean and beaches and the inhabitants of the ocean cannot be blocked by private ownership. The public trust doctrine, rooted in Hawaiian worldview, says our beaches, our lands, and our waters belong to ALL of us. Present and future generations. Not resort developers. Not the highest bidder. The proposed bill to redefine what Public access means is not in alignment with Hawaiian Culture and ways, and this would break the public trust doctrine. I do not support this bill, and I submit that NO HUMAN BEING should ever consider this bill as a legitimate request. It is in the highest regard for all Life, to Strike Down this BILL Now and never allow it to be submitted ever again.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:26:13 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kainani Clark	Individual	Oppose	Written Testimony Only

Comments:

I'm opposing this bill because by definition the word public means for the community and the general populace. Hawaii's beaches are not for sale.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:26:35 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaylene Sheldon	Individual	Oppose	Written Testimony Only

Comments:

Aloha e Committee(s):

"O Kauwila Sheldon ko'u inoa, no Ka'a'awa mai au. I am writing to express my strong opposition to Bill 3148 SB RELATING TO THE USE OF PUBLIC LANDS. As someone deeply invested in ancestral 'ike, Hawaiian language and culture, I believe it's crucial to acknowledge that the lands in question aren't simply "public lands" – they're sacred spaces that have been part of the Hawaiian Kingdom for centuries.

This bill overlooks the historical context and ongoing struggles of Native Hawaiians, reducing our ancestral lands to mere "public" resources. The Hawaiian Kingdom's sovereignty and the rights of its people haven't been relinquished, and it's our responsibility to honor those who came before us.

I urge you to consider the implications of this bill and the voices of those who've been stewarding these lands since time immemorial. Mahalo for your time.

Me kealoha pumehana,

Kauwila Sheldon

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:27:09 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Paul Giles	Individual	Oppose	Written Testimony Only

Comments:

I OPPOSE S.B. NO. 3148

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:38:11 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Paul Montague	Individual	Oppose	Written Testimony Only

Comments:

Honorable Legislators,

Hawaii's Beaches should remain fully in the public domain with access for everyone.

Paul S, Montague

Ocean View

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:43:32 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ursula Barton	Individual	Oppose	Written Testimony Only

Comments:

"I strongly oppose SB3148. Our beaches are the heart of our community and must remain open and accessible to everyone—not just hotel guests and resort developers. This bill would allow the DLNR to prioritize private profit over the public’s right to enjoy our natural resources. Categorizing exclusive resort use as a 'public use' is a legal fiction that threatens the very way of life we cherish in Hawaii. Please do not allow our public trust lands to be privatized. Please vote NO on SB3148."

**LATE**

**SB-3148**

Submitted on: 2/18/2026 6:47:39 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Bryan Young	Individual	Oppose	Written Testimony Only

Comments:

Leave beach access open to the public. No one shall own or control the high water level and below. Kanaka must keep all gathering rights and Hawaiian citizens must keep access to utilize the ocean for harvesting or recreation.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:01:28 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Tyneski Quintel	Individual	Oppose	Written Testimony Only

Comments:

 URGENT

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Tyneski Quintel and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

We need public lands in public hands always please do not privatize this by the DLNR. It is not right!!

As described in this measure's justification sheet ([https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148\\_.pdf](https://www.capitol.hawaii.gov/sessions/session2026/bills/SB3148_.pdf)), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Tyneski Quintel

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:22:35 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Keke Manera	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Keke Manera and I strongly OPPOSE SB3148 and I hope you will too!

The Governor's bill ignores public access to beaches and lands, favoring hotel leases. This is not okay. This bill would effectively prioritize hotel and resort uses of public lands and beaches under the public trust doctrine, potentially excluding public access.

Also, let's not forget Native Hawaiian gathering rights that are the constitutional, traditional, and are the customary rights protected under Article XII, Section 7 of the Hawai'i State Constitution and HRS §§1-1 and 7-1. Our rights need to be protected and upheld.

DLNR wants to prioritize hotel interests over public beach access, contradicting the principle of public use and enjoyment. It's also shocking that the Governor alongside DLNR wants to sell public beaches to the highest bidder while demonstrating a failure to understand its public trust duties and the harm it can cause to current and future generations.

Stop the Governor and DLNR from selling out public beaches and undermining public trust rights for administrative convenience. Hold this misguided measure. Enough is enough! Please stop allowing this to happen to Hawai'i. Refrain from contributing to the ongoing exploitation of these islands.

I appreciate the opportunity to provide testimony, mahalo!

Keke Manera

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:23:42 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
valerie delahaye-ippolito	Individual	Oppose	Written Testimony Only

Comments:

We have taking enough of Hawai'i away from Hawaiian please do not make it even worst. We have shown that we have disregarded first people warning too often and destroyed their agriculture, the natural beauty, habitat, flora, nature, fauna as well as their culture. We can no longer keep taking away the rights that were fought and optain by the queen to protect her people and her land. Stop this power grab by people who soul perpose is greed.

Thank you, Valerie Delahaye-Ippolito

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:28:10 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cheryl Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3148. Public lands should be for the public. No person or entity should own or regulate our beaches.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:29:38 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Christin Baum	Individual	Oppose	Written Testimony Only

Comments:

This is a horrible idea. That I'm positive most locals would definitely oppose

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:31:16 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Ariel Tergeoglou	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Ariel Tergeoglou and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Ariel tergeoglou

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:31:42 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaua Kama	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is E. Kaulilinoe Kama and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please HOLD this terribly misguided measure.

Mahalo nui for the opportunity to testify,

E. Kaulilinoe Kama

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:31:54 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Frank Schultz	Individual	Oppose	Written Testimony Only

Comments:

Hawai'i beaches are for the people not corporations or the rich.  
Respect the Aina, respect the culture, respect the people.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:43:51 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Julia Berlin	Individual	Oppose	Written Testimony Only

Comments:

Public beaches and lands should stay public beaches and lands. Enough catering to the resorts and to the rich!

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:51:22 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Amber Kanehailua	Individual	Oppose	Written Testimony Only

Comments:

I am from Nanakuli but currently reside in Salt lake. I strongly oppose this bill that redefines "public use" therefore putting shoreline and community access at risk for Native Hawaiians. Because when public use becomes administrative discretion, access becomes conditional and I strongly Oppose that. Thank you.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:53:15 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ann V Saffery	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3148

Mahalo,

Ann V. Saffery

Honolulu, HI

**LATE**

**SB-3148**

Submitted on: 2/18/2026 7:54:07 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ramona Hussey	Individual	Oppose	Written Testimony Only

Comments:

Oppose this bill which would allow private leases on public lands.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:02:56 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Conall K. Ravenscraft	Individual	Oppose	Written Testimony Only

Comments:

Aloha chair, vice chair, and members of the senate committee on Water and Land,

Please let this serve as testimony for myself Conall Kahaka'ioikamalie Ravenscraft, generational lineal descendant of Napoopoo, Kealakekua, HI.

I stand in **STRONG OPPOSITION** to SB3148 which, through vague and deceptive language "seeks to [re]define "public uses" as any use by an agency, either directly or through a disposition, that supports the agency's functions including but not limited to the uses described in section 171-10, HRS..."

This bill is a blatant and direct violation of the State of Hawaii's Public Trust Doctrine, seeks to undermine and weaken the State of Hawaii DLNR's Heirarchy of Use policy, and creates avenues for private, commercial interests to act with impunity in complete diregard for the rights of the general public.

I call on this committee to stand by their people and **OPPOSE** SB3148.

Mahalo

C. Kahaka'io Ravenscraft

Marcus R. Oshiro  
Wahiawa, Hawaii

**LATE**

February 18, 2026

Chairperson Chris Lee, Vice Chair Inouye, Senators Chang, Lamosao, and DeCorte:

My name is **Marcus Oshiro**, and I write in **strong opposition** to **SB 3148**, a bill that would fundamentally alter Hawai‘i’s long-standing public access protections and the constitutional public trust doctrine.

## **I. SB 3148 Creates a Major Structural Shift in Hawai‘i’s Public Access Policy**

SB 3148 inserts a new definition of “**public uses**” into HRS §171-1, defining it as:

- **Any use of land by a state agency,**
- **Whether directly or through a lease, license, permit, or other agreement,**
- **So long as the use “supports the agency’s functions,”**
- **Including—but not limited to—the uses listed in HRS §171-10.** <sup>1</sup>

This is not a technical amendment. It is a **sweeping redefinition** that dramatically expands what can be labeled a “public use,” even when the public is excluded.

The Department’s own justification sheet confirms the magnitude of this shift - “*The public may be prohibited from accessing and utilizing public lands in instances where it would conflict with the managing agency’s functions.*” — DLNR Justification Sheet for SB 3148 <sup>1</sup>

This is an explicit acknowledgment that the bill authorizes **greater restrictions on public access** to beaches, shoreline areas, trails, and nearshore waters.

## **II. The Bill Undermines the Public Trust Doctrine**

For decades, Hawai‘i courts have held that:

- **Access to beaches and nearshore waters is a core public trust right.**
- **Agencies must favor public use over private or exclusive use.**

SB 3148 reverses this presumption by:

### **1. Allowing “public use” to include agency operations that exclude the public**

The justification sheet cites airports, harbors, schools, hospitals, and public housing as examples of “public uses” that prohibit public access.

By analogy, DLNR could now classify, shoreline areas, beach parcels, submerged lands, or nearshore ocean zones as “public uses” even when fenced, restricted, or leased for exclusive operations.

## **2. Allowing private leases to be treated as “public uses”**

The bill explicitly includes uses carried out through:

- **Leases**
- **Land licenses**
- **Permits**
- **Other agreements**

This means a private concession, resort operator, commercial aquaculture facility, or harbor lessee could be shielded under the label of “public use” so long as DLNR asserts it “supports the agency’s functions.”

This is a profound departure from the public trust doctrine’s requirement that **exclusive private uses be the exception, not the rule.**

## **III. SB 3148 Weakens Community Ability to Challenge Improper Restrictions**

Under current law, community groups can challenge shoreline closures or exclusive uses by arguing:

- The use is **not** a public use.
- DLNR is favoring private interests over public access.
- The public trust requires maximum feasible access.

This bill would make it far harder for communities to defend:

- Traditional shoreline access
- Fishing and gathering rights
- Recreational use
- Cultural practices
- Public pathways and easements

## **IV. The Bill Is Unnecessary and Overbroad**

DLNR already has authority to manage lands for agency operations.

What it does *not* have—and should not have—is a statutory blank check to:

- Reclassify exclusive or commercial uses as “public uses”
- Restrict shoreline access whenever it deems it “in conflict”
- Expand private leases under the guise of public purpose

SB 3148 is drafted far more broadly than needed to address any legitimate operational concerns.

## **V. Requested Action**

This bill represents a **major and reckless shift** in Hawai‘i’s public access policy, weakens the public trust doctrine, and opens the door to expanded shoreline restrictions and privatization of public lands. For these reasons, I respectfully urge the Committee to **hold SB 3148** and whether they be former Presidents or Neighbor Island billionaires, Hawaii’s beaches and waters are not for sale.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:09:28 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Dara Fitzgerald	Individual	Oppose	Written Testimony Only

Comments:

I testify that this bill is economically, culturally, and morally wrong. This land belongs to no one and should remain public. Hawai'i land is sacred and has been desecrated enough! This bill is selfish and I urge you not to let it pass.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:20:32 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Kalehua kaopua	Individual	Oppose	In Person

Comments:

Aloha Chair and Members of the Committee,

My name is Kalehua Kaopua, and I am writing to you from Waianae

. I strongly **oppose SB3148**. While this bill seeks to redefine "public uses" of public lands, I am deeply concerned that any expansion of agency control over our lands further risks the displacement of local families who are already being pushed out of their own homes.

Growing up in Napoopoo

, I have watched our community transform. What were once homes for local families have become a sea of vacation rentals for foreigners. It has reached the point that when I visit Manini beach , I am stared at as if *I* am the foreigner in the place where my family has lived for generations.

This bill feels like another step toward keeping us off our own land. We are seeing a dangerous trend that mirrors what has happened in places like jamaica., where local residents are increasingly barred from their own beaches to prioritize foreign tourism and "public use" projects that don't serve the people who actually live there. This displacement causes a loss of culture, a loss of access, and a loss of soul for our islands.

**SB3148** is unconstitutional because it fails to satisfy the "**Ka Pa'akai Analysis**," a legal mandate derived from the Hawai'i Supreme Court case *Ka Pa'akai O Ka 'Aina v. Land Use Commission*.

Under **Article XII, Section 7** of the Hawai'i State Constitution, the State has an "affirmative duty" to protect Native Hawaiian traditional and customary practices. SB3148 goes against this because:

- **Failure to Identify Cultural Resources:** The bill allows for the reclassification or "public use" of lands without requiring a specific assessment of how this will impact traditional access in places like **Nāpō'opo'o**. The Court ruled in *Ka Pa'akai* that agencies cannot delegate their responsibility to protect these rights to developers or secondary parties.
- **Impairment of Access:** By potentially prioritizing state-led development or "public-private partnerships" over community access, the bill threatens the **PASH (Public Access**

to Shoreline Hawai'i) rights established in the 1995 PASH decision. This decision affirms that traditional gathering and religious practices in coastal areas like **Kealakekua Bay** take precedence over many commercial or administrative "public uses."

- **Breach of Trust:** Because many of the lands impacted are "ceded lands," the State acts as a trustee. Changing the definition of "public use" to facilitate easier leasing or exclusion of locals violates the State's fiduciary duty to Native Hawaiian beneficiaries as outlined in the Admission Act and the State Constitution.

Mahalo, Kalehua Kaopua

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:26:35 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kanani Tiqui	Individual	Oppose	Written Testimony Only

Comments:

I do not support this bill in defining the use of public lands as any use of an agency. Public lands should remain for use and accessible by the public! Access or public use rights should never be given over to private entities, ever!

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:27:03 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kawika cruz	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB3148

**LATE**

**Testimony in Opposition to SB3148 (Relating to the Use of Public Lands)**

**To: Senate Committees on Water and Land (WLA) and Judiciary (JDC)**

**Chair, Vice Chair, and Members of the Committees:**

My name is Mia Gaines-Alt. I submit this testimony in strong opposition to SB3148.

SB3148 is not neutral “clarification”; it is a legal expansion that weakens the public trust

SB3148 adds a definition of “public uses” to HRS §171-1. It defines “public uses” as the use of land by a state agency, whether directly or through lease, land license, permit, or other agreement, in a manner that supports the agency’s functions.

That language is not harmless. It is designed to convert agency-authorized private control into a “public use” by definition.

The bill’s own justification admits the consequence: the public may be excluded

The justification sheet states plainly that “the public may be prohibited from accessing and utilizing public lands” when access would conflict with the managing agency’s functions.

That is the problem. Public lands are held in trust. A definition of “public use” that normalizes exclusion—especially exclusion implemented through private dispositions—invites abuse and erodes accountability.

“Public use” must mean the public can actually use it—especially at the shoreline

In Hawai‘i, access is not an abstract policy debate. Shoreline and coastal access is how families fish, gather, teach, and survive. It is also how Native Hawaiian customary and traditional practices continue in real life, not just in speeches.

SB3148 would strengthen the State’s ability to defend leases, permits, and other agreements as “public uses” even when the practical outcome is:

Reduced or blocked access through gates, security, signage, intimidation, or controlled entry points

Displacement of subsistence and customary practices

A two-tier reality where those with money, connections, or “authorized” status get access and everyone else is treated as a problem

This bill is especially dangerous because it does not require any enforceable access protections. It expands the label “public use” while leaving the public to fight access battles parcel by parcel, after the fact.

If the Legislature insists on defining “public uses,” it must include enforceable protections

At minimum, SB3148 should not move forward unless it is amended to:

Prohibit “public use” findings for dispositions that reduce meaningful public access in areas already set aside for public access or historically relied upon by the community

Require clear, public, enforceable access conditions in any lease/license/permit affecting shoreline access

Require explicit protection of customary and traditional practices, including subsistence uses

SB3148, as written, does the opposite: it broadens “public use” to include agency dispositions that can exclude the public.

Request

For these reasons, I respectfully urge you to OPPOSE SB3148.

Thank you for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:36:38 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Raquel Runnels	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Raquel S. Runnels, and I am a kanaka ‘ōiwi from Wahiawā, Hawai‘i. I am writing to strongly oppose SB3148, which would allow public lands, including our beaches, to be leased or used exclusively by hotels, resorts, and other private interests.

As kanaka ‘ōiwi, we have deep connections to our lands and oceans. Hawai‘i’s beaches are public treasures, not only for recreation, but for practicing our culture, traditions, and ancestral responsibilities, including fishing, hula, and other ceremonies. Allowing private entities to claim exclusive access undermines the public’s rights and threatens both the cultural and environmental integrity of our islands.

SB3148 would also weaken the public trust doctrine by equating private hotel and resort use of public lands with public access. This measure essentially favors privatization of our beaches as a default option, allowing exclusive control by private interests for decades or longer. It is alarming that the very agency tasked with protecting the public trust—DLNR—would seek the ability to privatize public beaches for administrative convenience, ignoring the rights of current and future generations.

Public beaches must remain truly public, accessible to all, and protected from corporate control. SB3148 threatens Hawai‘i’s identity, culture, and the rights of the people. I urge the Committee to hold this measure and vote against SB3148.

‘O au ino nō me ka mahalo piha,

Raquel S. Runnels

Wahiawā, Hawai‘i

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:37:08 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Cortney Parkhurst	Individual	Oppose	Written Testimony Only

Comments:

Being able to hike and go to the beach is essential for the people who live in Hawaii to be healthy and active. Space in Hawaii is already limited and by adding more regulations and limiting the publics access to the land and beaches even more will just create more unnecessary frustration. The private entities won't allow public use and over time it could potentially ruin everyones access to any beach as more and more tourist industries continue to take over. We are already limited in beaches and space due to the military claiming several nice beaches and land. If people want to visit, that is great but they should not receive more privileges and access than the people who actually live in Hawaii and are part of the community.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:38:11 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ezekiel Alapaki Bernabe	Individual	Oppose	Written Testimony Only

Comments:

Beaches across my pae aina must remain open and available to kanaka, not privately owned. Considering many shores are wahi panas to people, significant places to a community or family. They have the right to camp, picnic, cruise. Haoles cannot buy them, mind you they've purchased well enough places on ko hawaii pae aina so what more do you greedy hos want?

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:53:30 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kelsea Duvauchelle	Individual	Oppose	Written Testimony Only

Comments:

Beaches are for public use, any land that touches the ocean is for all peoples. This has been the way in Hawaiian culture since the beginning of time. Billionaires keep trying to come in and buy up all our land and take some of our favorite beaches we've frequented since childhood. This is not what the people want. No more defending corporate interests over the people's well-being. No more making new rules for billionaires and their estates. The tides are changing and anyone who supports this new definition of public use will be voted out of office next term. We are done having politicians claim they are the voice of the people while taking moneys from these wealthy interests then taking away our rights in secrecy. We see you. We see your actions and they speak a lot louder than words.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:54:00 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Joan Irons	Individual	Oppose	Written Testimony Only

Comments:

Please do not let this bill pass! Do not sell off Hawaii!! The beaches are sacred and for Everyone... All inclusive. Not people with the most money!

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:54:08 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
jeanne wheeler	Individual	Oppose	Written Testimony Only

Comments:

Aloha: I VERY STRONGLY OPPOSE this bill - please DO NOT pass it! Mahalo, JW

**LATE**

**SB-3148**

Submitted on: 2/18/2026 8:56:19 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
rhythm rivers	Individual	Oppose	Written Testimony Only

Comments:

OPPOSE

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:02:15 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Michelle Jang	Individual	Oppose	Written Testimony Only

Comments:

I oppose the Bill SB3148. I oppose to the privatizing of the beaches, mountains, land, parks and water. All residents of Oahu have the right to beach access. Do not change the definition of public use to work the system to give priority to businesses and their functions.

Michelle Jang

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:03:48 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
maryrose anderson	Individual	Oppose	Written Testimony Only

Comments:

I stand in unequivocal opposition to this bill.

This proposal is not about “development.”

It is about privatization of public trust resources for the benefit of corporations, resorts, and private property interests — at the expense of Native Hawaiians and local families.

Hawai‘i’s shorelines are constitutionally protected public trust lands. Access to the ocean is not a luxury. It is a legal right and a cultural right. Restricting that access undermines the State’s fiduciary responsibility to protect Native Hawaiian traditional and customary practices.

Surfing and being at the beach is not recreation to us.

Fishing is not hobby.

Offering ho‘okupu is not tourism.

These are protected cultural practices tied to our identity and survival as a people.

When you fence off coastline for private use, you are not just limiting entry — you are facilitating displacement. You are sending a message that profit ranks above people, that corporate revenue outweighs Indigenous rights.

For generations, Native Hawaiians have already endured land loss, forced displacement, and erosion of access. We will not accept further exclusion from the very waters that define us.

The State of Hawai‘i has a constitutional duty to protect public access and Native Hawaiian rights. Passing this bill would represent a failure of that duty.

Our children deserve to inherit shorelines that are open, accessible, and protected — not gated and monetized.

This bill prioritizes private profit over public trust.

That is unjust.

That is unacceptable.

Vote no.

Mahalo.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:06:44 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Madison Masek	Individual	Oppose	Written Testimony Only

Comments:

The Public Trust Doctrine requires our public lands remain public. Do not let these lands be sold for private interests.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:13:50 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
john	Individual	Oppose	Written Testimony Only

Comments:

how much was nakamura paid to introduce this bill

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:16:01 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kaila Elizabeth Chang Freitas	Individual	Oppose	Written Testimony Only

Comments:

SB3148 directly impacts all residents of Hawaii, and unlawfully denies Native Hawaiian people's rights to their own land that has historically been available to us. This bill is a disgrace, and anyone that approves this bill obviously does not represent Hawaii or Aloha as a personal value. This is not pono. The People deserve the access that has historically been granted to us. Hawaii is not a billionaire playground and should not be treated as such.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:16:25 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth ray	Individual	Oppose	Remotely Via Zoom

Comments:

Aloha

I oppose this bill . I represent the Maui county one of the islands struggling with the highest native Hawaiian homeless crisis since a terrible pandemic and horrific natural disaster. This being said the island is still rebuilding still playing musical houses with FEMA ,still battling rising rent costs,slumlords and inadequate housing.

The aina, these beaches are places to relax to Greive to play , to be with family who cannot fit together in a studio, to hunt for food, to do sport and heal.

Can you honestly say you have the right to take what few beaches with access we have left away?

This community is full of generational indigenous Hawaiians of ancestral ali'i of kings and queens who's land the foreign occupier took with force and weaponry .it is there right to habit these beaches.

The community is also full of a cultural melting pot of workers from all over the world that help sustain the local community and have helped build it. I'm talking teachers, health professionals, chefs,grocerystire wirkers,hotel industry, and community resources.these hardworking familiesare holding down 2 jobs working almost everyday even 2 or 3 jobs to survive the cost of living in paradise.

And yes they deserve on their 1 day off to choose whatever part of the shoreline that suits them for their own mental health and regeneration. So they may reap their rewards.

And I'm sorry foreigners with money should never get to own a piece of this islands shoreline which provides food stability and rejuvenation to its island people less financially fortunate then them.

Not only is this greed and playing m9nopoly with our beaches but it's selfish aragant and frankly very offensive to all who appreciate this islands natural resources. I speak fir my children who grow up on these beaches and continue to thrive in Moana. No you may not take our beaches you have taken away most beach access away in the str zones of honokowai. And we are pissed about it.

Mahalo

Do not pass this bill

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:29:46 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Merker	Individual	Oppose	Written Testimony Only

Comments:

This act is an attempt to re-define public use to exclude the obvious meaning of "public use", IE use by members of the public.

It intends to usurp that obvious definition, and to exclude every use but uses by state agencies.

This would have particular impact to the sister-definition of "Public purpose" in HRS 171-1 which states that Public purpose includes "all public uses." Presumably, it is not currently limited to uses by state agencies. Logically, then, this proposed definition is:

- a. Narrower than the current one,
  - b. excludes the obvious meaning of public use,
- and
- c. includes a more limited and categorically different meaning.

This is, therefore, a threat to take use by the public OUT of consideration and is a theft of the commons.

It should be rejected.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:40:16 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Beth McDermott	Individual	Oppose	Written Testimony Only

**Comments:**

Absolutely 100% opposed to this bill!! In fact as a Hawaii resident here since 1969 I am blown away that this is even being considered. Our beaches have always been the property of the people, for public use. It's one of the things that has always made me proud of our state. That we recognized that access to our ocean, and use of our beaches, for an island people, is essential. I am also stunned with how tone deaf this bill is. While billionaires are scooping up all our assets and robbing us blind under the Trump administration, you want to further add to the fury by telling a handful of wealthy landowners, go ahead, plant your beach umbrella on the sand and claim it for your own private indulgence. Let's make Hawaii the next Mar a Lago.! Hell no are you going to do this! Anyone who votes for this is going to be feeling the wrath from Hawaii's people. Please kill this bill right now.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:48:04 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kau'i Baumhofer Merritt	Individual	Oppose	Written Testimony Only

Comments:

As a Native Hawaiian, a mother, and an epidemiologist with specific expertise in Native Hawaiian health disparities I strongly oppose SB3148. This bill would further erode public access to public spaces, which is in direct opposition to our right to access public shorelines. This bill would open our public lands to private interests such as hotels and other businesses that cater to tourists and not to the public and Native Hawaiians who rely on shoreline and public land access for subsistence fishing, gathering, hunting, recreation, physical activity, and other cultural uses. Loss of land access in the past devastated the Native Hawaiian community by disrupting our entire economic, cultural, and spiritual systems. I urge our Legislators to oppose this bill, which is neocolonialism dressed as "clarification."

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:54:19 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Noelle Lindenmann	Individual	Oppose	Written Testimony Only

Comments:

Dear Chair, Vice Chair, and Committee Members -

I am submitting testimony today in STRONG OPPOSITION to SB3148.

The public has a right to access public lands. Please do not change the definition of public use.

Do not violate the public trust doctrine for the millionaire class.

Mahalo for this opportunity to provide testimony,

Noelle Lindenmann, Kailua-Kona

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:58:51 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Isabell H Feki	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

My name is Isabell Feki I am a Police Officer with the Hawai'i County and I am from Hawai'i island. I have lived here my whole life. I strongly oppose this bill and feel it is not in our (as a community) best interest to allow restrictions on how our people may use our land, waters, mountains, beaches etc. Our people are still rebuilding what was already taken and we are still trying to pass on traditions with more and more restrictions causing obstacles. Let us decide for ourselves how and what is done with our 'aina. Mahalo for your time

**LATE**

**SB-3148**

Submitted on: 2/18/2026 9:59:03 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Ulana Kalahiki-Anthony	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and Members of the Committee,

I am Ulana Kalahiki-Anthony. The first female longline commercial fisherman, born and raised in Hawai‘i, and part of a multigenerational fishing family. I stand in strong opposition to SB3148.

The ocean is not abstract to us. It is not a line item. It is not a legal definition. It is our piko.

When you redefine “public access” to include state use and access, you are not just adjusting language. You are shifting the relationship between the people and our ocean.

For generations, Hawai‘i’s waters have been understood as a space where the people maintain access — for sustenance, for livelihood, for cultural practice, for survival. Public access has always meant the people. When the definition expands to center state use, it creates a future where the government can stand parallel to — or potentially above — the community in determining how those waters are accessed and used.

As a commercial fisherman, I already operate under extensive federal and state oversight. I accept that as part of responsible stewardship. But redefining public access in this way feels like another step away from community-based relationship and toward centralized control.

Our kūpuna understood that access is tied to kuleana. The people who depend on the ocean also protect her. The next generation of kanaka lawai‘a are watching closely. What message are we sending them if access becomes something the state defines for its own use first?

The ocean feeds our families. It keeps our food systems resilient. It keeps culture alive. It provides dignity through honest work.

Language in law matters. Once definitions shift, they rarely return.

If this bill moves forward, I ask you to deeply consider:

- How this redefinition will be interpreted 10, 20, 50 years from now
- Whether it strengthens or weakens community-based stewardship
- Whether it protects the people’s access first and foremost

The ocean does not belong to the state. The state has a duty to protect it for the people.

I respectfully urge you to defer SB3148 and engage directly with fishing communities, cultural practitioners, and those whose daily lives depend on continued meaningful public access.

Mahalo for the opportunity to testify.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:06:40 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Bo Breda and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Bo Breda

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:08:58 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Emily Gillmar	Individual	Oppose	Written Testimony Only

Comments:

I am concerned that SB3148 would limit public access to lands that

This is especially concerning with regards to beach access. In the time since I was a kid growing up here, there is significantly less beach available to the public, in large part because of private landowners hardening shorelines, making formerly accessible beaches impossible to access. A measure that would have the potential to further impinge the right of the public to access beaches and shorelines is one that should not move forward.

Thank you for your consideration.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:09:33 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:15:16 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Peter Wilson and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Peter Wilson

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:20:56 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Kevin Butterbaugh	Individual	Oppose	Written Testimony Only

Comments:

We must not allow this bill to pass; resulting in the loss of actual public use to our public lands and beaches. Definitely NOT!

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:28:45 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Brandy-Alia Serikaku	Individual	Oppose	Written Testimony Only

Comments:

Auhea 'oukou e ka Fake State of Hawaii,

'A'ohē o'u kāko'o i ka pila SB3148. Na na kānaka maoli, nā Hawai'i nō ho'i ka 'āina a pau, 'o ia ho'i all public lands belong to the kingdom, the public, especially beach and coastlines. No private beaches, this blocks my access as a Hawaiian to live my life with my birth rights- to fish, to spiritually practice my culture and spirituality, to use my land. Restricting public lands to private owners, developers and haoles is not protecting the native endangered species, habit, mental health and well ess of the native hawaiian population- animals and plants included.

lawa,

na Brandy-Alia Serikaku

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:30:01 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Katie Butterfield	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Katie Butterfield and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's [justification sheet](#), this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust. This cannot be allowed, and would go directly in the face of many years of legal doctrine of this state as well as the intentions within the State Constitution regarding the public trust doctrine.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure. Please maintain the public trust for current and future generations.

Mahalo nui for the opportunity to testify,

Katie Butterfield

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:44:16 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Shay Chan Hodges	Individual	Oppose	Written Testimony Only

Comments:

Aloha: I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet, this bill intends to make private activities listed under HRS §171-10 equal to public use under the public trust doctrine. Doing so would create a favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public.

In other words, the DLNR, through this bill, is trying to make the privatization of our beaches a default option under the public trust.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo nui for the opportunity to testify,

Shay Chan Hodges

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:51:37 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Nadia Friedenber	Individual	Oppose	Written Testimony Only

Comments:

I, Nadia Friedenber, oppose Senate Bill 3148 which would allow for the privatization of public lands. As the value of land in Hawai'i is increasing faster than the average income of Hawai'i residents, it is only inevitable that foreign agencies and wealthy individuals would take the opportunity to secure current public lands for themselves if this Bill were to pass.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:56:58 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Chaye Kauhola	Individual	Oppose	Written Testimony Only

Comments:

As a Kanaka Maoli born and raised in Hawaii this bill goes against our public rights to access beaches. Access to public beaches belongs to all of us, not just developers and tourists. Native Hawaiians have already had so much taken away from us and now this takes away from all kamaaina. I heavily oppose this bill.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:57:44 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Villaflor	Individual	Oppose	Written Testimony Only

Comments:

I oppose the privatization of beaches and shores of any and all the Hawaiian Islands. NO one entity, corporation, business and alike should have ANY exclusive rights for commercial use, profit or private residential use.

There are different alternatives to making money for the state WITHOUT giving away more of our land. People visit Hawaii for our beauty, the beauty that has been slowly sold to people with ZERO interests in keeping Hawaii, Hawaii.

I find this infuriating that "We the people" have to plan and budget our finances, while government just spend recklessly and find a "solution" by selling off something that you don't own.

Here's a couple of solutions:

- 1) Toursim. Charge more to the tourist who come here for our beautiful shores, scenery, culture and weather. Trust me, they're not coming here to shop at Louis Vutton.
- 2) State lottery.
- 3) Developers and Real Estate. Aggressively tax investment firms and developers purchasing and holding houses in Hawaii.
- 4) Learn how to balance a budget. Everybody else has to, I think its time the government learn how to as well.

Just in case its unclear.. "I WHOLE-HEARTEDLY oppose SB3148".

**LATE**

**SB-3148**

Submitted on: 2/18/2026 10:58:46 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Heidi Mehlich	Individual	Oppose	In Person

Comments:

Testimony in Opposition to SB 3148  
Relating to the Use of Public Lands

Aloha Chair and Members of the Committee,

My name is Heidi Mehlich. I'm from Maui.

I'm 16 years old.

In Hawai'i, the shoreline is not merely real estate.

It is a living space of culture, memory, and belonging.

Under the principle of mālama 'āina—to care for and protect the land—and the understanding that the shoreline is held in public trust, beaches exist for everyone: keiki, kūpuna, local families, and visitors.

These places carry history, healing, and identity. They must remain open, free and accessible to all.

Examples are the beaches in Kā'anapali where public space is increasingly treated as private property.

Hotels line the sand with lounge chairs and umbrellas that sit unattended for hours, creating the impression that the shoreline belongs only to paying guests. Existing rules prohibit unattended equipment on the beach (by an active law since 2023 - Hawai'i Revised Statutes (HRS) § 200-3.5), but enforcement remains inconsistent.

Residents are quietly pushed aside. What begins as convenience becomes exclusion.

This issue is deeply personal. My mother is waiting more than three years for justice. She suffered a traumatic finger amputation in 2022 involving a lounge chair from the Westin Maui Resort & Spa, at Kā'anapali Beach.

I was 12 years old and there with her and witnessed with other beach visitors her unspeakable suffering. Her case is now before the appellate court on O'ahu.

Our family's experience underscores the importance of safety, accountability, and responsible stewardship when commercial operations occupy public shoreline areas.

What should have been a safe, public shoreline became a site of injury and prolonged hardship in more documented cases like hers. Her experience is a painful reminder that when private commercial operations dominate public beach space, accountability and safety suffer.

Hawai'i's beaches are not commodities. They are a shared inheritance and a sacred responsibility.

I respectfully urge you to oppose SB 3148 and uphold the stewardship, access, and dignity that Hawai'i's shores deserve.

Mahalo for the opportunity to testify.

E mālama i ke kai, e mālama i ka 'āina, a e mālama kākou kekahi i kekahi.

Heidi Mehlich.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:00:05 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
mary reilley	Individual	Oppose	Written Testimony Only

Comments:

I am fiercely opposed to SB3148 as I believe it to be a slippery slope for more public access to be acquired by private ownership.

We have all witnessed the encroachment by private homeowners who attempt to prevent public access. To allow corporations to do this would be irreparable.

I implore this legislature to not pass this bill. Please keep Hawai'i for future generations to enjoy in the spirit of all, not just the entitled few.

Mahalo for your consideration.

Respectfully,

Mary Reilley

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:06:19 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Clara-Leen Kailihou	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the Committee,

My name is Clara-Leen Kailihou and I am **STRONGLY OPPOSED** to SB3148.

This Governor's package bill is a big shameless, confused attempt by the Department of Land and Natural Resources (DLNR) to ignore the public's right to use, access, and enjoy public lands and beaches, when allowing hotels and resorts to lease and exclude the public from such spaces for decades or longer.

As described in this measure's justification sheet (there is **NO JUSTIFICATION**), this bill intends to make private activities listed under HRS:171-10 equal to public use under the public trust doctrine. There is no equality when it comes to public versus private ventures. In doing so, this bill would create favorable presumption in favor of hotel and resort uses of public lands and beaches under the public trust - even when such uses would exclude the public, the very thing the current circumstance is meant to protect.

It is dumbfounding to see the primary trustee agency for our public trust lands, waters, and resources seek the ability to sell our public beaches to the highest bidder, for generations at a time. Unfortunately, this is not the first time the DLNR has failed to demonstrate an understanding of the public trust, its duties under the trust, or the incredible harms that it can inflict and has inflicted, through the abdication of its trust obligations to present and future generations.

Please do not let the DLNR sell out our public beaches and undermine the rights of our present and future generations under the public trust, for nothing more than its administrative convenience. Please **HOLD** this terribly misguided measure.

Mahalo for the opportunity to testify,

Clara-Leen Kailihou

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:07:16 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

Submitted By	Organization	Testifier Position	Testify
Asha Pickard	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Lee, Vice Chair Inouye, and Members of the committee,

It is disrespectful to the Hawaiian people to even entertain the notion of leasing beaches and other natural places for private use, especially after everything the Hawaiian people have already been robbed of. Nature, including the coast and beaches provide people with places to renew their peace and it is important to continue to allow accessibility to all these places in order to ensure a peaceful society. I strongly oppose SB3148. It is unfortunate that so much of the beautiful nature has already been developed and is no longer available for people to enjoy. Please do the right thing and ensure that all the natural places that remain, maintain their accessibility for everyone.

With love for the Aina,

Asha Pickard

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:07:44 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Sandy Dyel	Individual	Oppose	Written Testimony Only

Comments:

I oppose said bill. The people of Hawai'i have a right to public lands, beaches, and waters.

we don't need anymore hotels, tourist destinations or anything else to keep the people of Hawai'i from using such lands, beaches, waters for our personal use.

You as the governor should be protecting the rights of the citizens of Hawai'i.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:17:58 AM  
Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jon Hoag	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose legislation that will infringe upon the public's unobstructed access and use of the legally allowed beach areas in the state of Hawaii. This has been a highly successful long-standing policy the state of Hawaii.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:23:17 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Gwyn Griffiths	Individual	Oppose	Written Testimony Only

Comments:

The public always deserves access to public lands. I oppose this bill as it may limit the public's access to these lands.

**SB-3148**

Submitted on: 2/18/2026 11:26:37 AM

Testimony for WLA on 2/18/2026 1:01:00 PM



<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Star S Brown	Individual	Oppose	Written Testimony Only

Comments:

When policy and practice diverge, the impact is not just administrative. It affects community access, generational knowledge, and who feels permitted to remain in the ocean.

Public lands and access to public spaces are important to the health and mental wellness of the local community, and NOT to benefit private entities and organizations. I oppose SB3148 and encourage the state's policy makers and members of the senate to remember they are PUBLIC servants servicing the people of Hawaii, voted by the People, unless coerced and funded by private lobbyists. Your actions will speak louder than words with the future of this hearing.

Mahalo for your time.

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:27:27 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Phaedra Robinson	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill as it limits public access to beaches in Hawaii. Public land should always be open for anyone to enjoy and should not be limited by the government in having hotels and other businesses restrict our access for the benefit of the State and those businesses.

Thank you for your consideration.

Phaedra Robinson, PhD

**LATE**

**SB-3148**

Submitted on: 2/18/2026 11:28:24 AM

Testimony for WLA on 2/18/2026 1:01:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Regina Gregory	Individual	Oppose	Written Testimony Only

Comments:

oppose