

cleel1 - Lina

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 20, 2012 7:58 AM
To: HAWtestimony
Cc: publicpolicy@oha.org
Subject: Testimony for SB2305 on 3/21/2012 9:00:00 AM
Attachments: SB2305 SD2 Sand Removal Testimony 3.21.12 HAW.pdf

Testimony for HAW 3/21/2012 9:00:00 AM SB2305

Conference room: 329
Testifier position: Support
Testifier will be present: Yes
Submitted by: Office of Hawaiian Affairs
Organization: Office of Hawaiian Affairs
E-mail: publicpolicy@oha.org
Submitted on: 3/20/2012

Comments:



SB 2305 SD2
RELATING TO OCEAN RESOURCES
House Committee on Hawaiian Affairs

March 21, 2012

9:00 a.m.

Room 329

The Office of Hawaiian Affairs (OHA) **SUPPORTS WITH AMENDMENTS** SB 2305 SD2, which would delete the “one-gallon per person per day” exception to the prohibition against the removal of sand and other beach materials.

OHA supports further protection of Hawai‘i’s beaches and resources. Alleged large scale sand removal at Hawai‘i’s beaches may have long-term impacts on our natural and cultural resources, and deleting the exception for intentional removal of sand and other materials could abate these long-term impacts by making reporting and enforcement easier.

Although the exemptions of SB 2305 SD2 focus on the inadvertent taking of marine deposits, it can be strengthened by preserving the “one-gallon” restriction in addition to inserting the bill’s proposed new language. Even inadvertent takings may have long-term impacts on Hawai‘i’s shorelines. Adding the “one-gallon” language would put the onus on individuals to ensure that even accidental removal is minimized. Accordingly, OHA suggests the following changes to page 1, lines 7 – 12 and to pages 3, lines 4 – 10:

- (1) The inadvertent taking from seaward of the shoreline of these materials, such as those inadvertently carried away on the body, and on clothes, toys, recreational equipment, and bags, not to exceed one-gallon per person per day;
- (1) The inadvertent taking from the shoreline area of the materials, such as those inadvertently carried away on the body, and on clothes, toys, recreational equipment, and bags, not to exceed one-gallon per person per day;

OHA urges the committee to PASS SB 2305 SD2 WITH AMENDMENTS. Mahalo for the opportunity to testify on this important measure.

clee1 - Lina

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 19, 2012 10:30 AM
To: HAWtestimony
Cc: mjellings@hawaii.rr.com
Subject: Testimony for SB2305 on 3/21/2012 9:00:00 AM

Testimony for HAW 3/21/2012 9:00:00 AM SB2305

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Carl Pao Jellings Sr
Organization: Individual
E-mail: mjellings@hawaii.rr.com
Submitted on: 3/19/2012

Comments:

Thank You Honorable Chair Hanohano and Members Of The House Hawaiian Affairs Committee for hearing this important measure,

Mahalo a nui loa

Carl P Jellings Sr

cleel1 - Lina

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 19, 2012 3:18 PM
To: HAWtestimony
Cc: kimokelii@aol.com
Subject: Testimony for SB2305 on 3/21/2012 9:00:00 AM

Testimony for HAW 3/21/2012 9:00:00 AM SB2305

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Kimo Kelii
Organization: Individual
E-mail: kimokelii@aol.com
Submitted on: 3/19/2012

Comments:

Aloha Kakou Honorable House of Representative Legislators,

ATTN: Committee on Hawaiian Affairs - Chair, Rep F. Hanohano; Vice Chair, Rep Chris Lee & committee members;

PLEASE SUPPORT THE PASSAGE OF SB 2305!

This bill "deletes the one-gallon per day of sand being taken from our beaches" as this privilege of taking sand at a minimal has been abused by people in the Hawaiian islands. This bill will prohibit the current abuses from continuing to occur at our beaches, especially on the Waianae Coast.

Consequently, this bill does allow for emergency and Hawaiian cultural traditions and practices to be respected if and when it involves the legitimate taking of a gallon of sand for these rituals and routines.

Sen Shimabukuro (Waianae Coast District #21) did a community-wide consensus on this issue with the help of community leaders like myself and based on my discussions with the Kupuna, Makua, Opi'o and Keiki; whereby, the overall feedback was that this bill does have merit and validity in terms of saving our precious resources such as sand from being stockpiled by unsuspecting companies and businesses obtaining sand illegally for their own personal profit.

Mahalo Nui Loa, Kimo Kelii (Waianae Coast Community Leader)

cleef - Lina

From: Nicholas Smith [NickS@inpeace.org]
Sent: Monday, March 19, 2012 1:51 PM
To: HAWtestimony
Subject: Regarding SB 2305

To whom it may concern,

I write you today in support of SB 2305, which proposes the deletion of the one gallon per person per day allowance of taking sand and stone from our beaches.

My name is Nick Smith. I am 25 years-old and a lifetime resident of Wai'anae, HI. My family tells me that I could swim before I could walk, and learned to do so out on the leeward coast, most likely at Makaha Beach. I love the beach. I love the ocean. Because of this, I feel SB 2305 is an important piece of legislation for us to consider.

I spent five straight summers of my adolescence in the Junior Lifeguard program, which teaches youth around the state valuable life-saving skills and further reinforced my appreciation for the ocean and it's power and beauty. My group was based at Poka'i Bay three days out of the week and Makaha Beach the other two. Fast-forward to 2012, and I'm hearing from friends of mine who live in the area that three to four times a week, under cover of darkness, men arrive at Poka'i in pick-up trucks and vans, proceed filling garbage cans with Poka'i sand, load up their vehicles, and leave.

Now first I thought, "Dang, if these guys are coming late at night, they're already breaking rules." I, myself, have been asked to leave the Poka'i premises when I walked my girlfriend's dog there one night past 10pm. Then I thought, "Okay, if the rule says 1 gallon per person per day, then they must be using some really small trash cans or be traveling in a very large group," which are both contrary to what I've heard.

Allow me to put this into perspective: your run of the mill public trash can, like the ones we see at beach parks like Poka'i, have an approximate volume of 105 gallons (This calculation is assuming the can is 3 feet tall, and 1.5 feet wide at the top). Now, I haven't heard reports of 105 people at Poka'i at night, plus a sand topped-off trash can of this size would weigh around 1,300 lbs (and that estimate is on the low side for sand, considering our west-side sand is not as fine and dense and therefore not as heavy as sand from other places)... So let's look at some real numbers:

An average half-ton pick-up truck (assuming it can in fact haul a half-ton) loaded to max with sand could carry away about 80 gallons with one load. Let's say two trucks each hauled off one 1/2 ton load 3 times a week, adding up to 3 tons of sand removed in that amount of time. That may not sound like much, but in one year that's 156 tons of sand. That's a far cry from the 200,000+ tons removed from Waimea Bay alone since the 40's and 50's (the big jumping rock was once only a 6-foot bump above the sand of the beach - This references "Disappearing Sands" by Adam Ayers of Green Magazine Hawai'i, Vol. 3 #5), or the countless tons removed from Keawa'ula and other leeward beaches in the same period of time, but little by little, one gallon here and one gallon there change a beach forever. We know a few things to be true:

First, coastal erosion is a natural occurrence, and it is cyclical like many other processes in nature. Waves pick up, sand goes out, swells change, sand comes back. But beaches like Poka'i and others protected by jetties and break-waters (which were put in place to keep the water calm and prevent sand from escaping but actually end up keeping sand out, a problem we face in Waikiki and probably the lagoons of Ko Olina too) can potentially lose their sand at rates that cannot be reversed naturally.

Secondly, human alteration, like removing sand and building beach-front property atop former beaches and dune systems (the buffer between land and a healthy beach like those we can still find on the north shore) interrupt the natural cycles at work, and in many ways make the conditions for such permanent structures more dangerous, leaving them vulnerable to inundation and storm surge that may otherwise never reach human habitation because of the protection beaches and their dune system buffer zones provide.

Third, we know that beaches are ecosystems vital for supporting many species on land and in the ocean, including humans. Just as an example, I can't remember exactly how long it has been since our beaches were picked clean of shells. I only really thought about it when I traveled to Florida and other places where stricter laws seem to deter people from taking too many shells, if any, allowing animals like hermit crabs to reuse shells that others have left behind.

With all that said, I understand that sand is a resource like any other, and has many uses such as being mixed into concrete or filling sandbags to stave off floods, and these are beneficial for our economy and safety. However, like any other non-renewable resource, we need to recognize the opportunity that we have to allow our supply of sand to last as long as it possible can, now, before it's nearly gone, at which point we'll be shipping sand here from Abu Dhabi just to keep Waikiki the way it is now.

We need to make taking sand and stone for these or any other purposes illegal (except maybe in emergency circumstances or with special permission, but even then still closely regulated) because with all the forces arrayed against and eroding our beaches, we may live to see some of them change irreparably, just as my father has in the past 30 years living in Wai'anae. I may even live to see some of them disappear entirely, leaving jagged and rocky husks behind. And I think we all know that our beaches, so vital to the tourism industry, cannot be allowed to be gradually destroyed.

People may say, "The sand belongs to everyone, just like water, or dirt. You have no right to tell us who can and cannot take and use it," and for the most part I would agree. But being given the freedom to do so, to take from the Earth without considering the consequences of our actions, has led us to the particularly prickly environmental pickle that we are in right now. And, with such freedom, a few would abuse our natural resources and steal them away from us all. Those who would do this for the purpose of profit or power know no limits and in turn make it impossible for us as a whole sit back without a worry that our world is being ravaged right before our eyes.

So, esteemed representatives of the people of Hawai'i, I implore you to take a hard look at SB 2305 and support it. Imagine a Hawai'i maybe not in our lifetimes, but our childrens' or theirs', stripped bare of its white sand beaches and all the good things that once took place upon them. Let's nip this one at the bud.

Sincerely,
Nick Smith

From: Karen Young [kgsyoung@hotmail.com]
Sent: Monday, March 19, 2012 10:50 PM
To: HAWtestimony
Subject: TESTIMONY IN SUPPORT OF SB2305

TESTIMONY IN SUPPORT OF SB2305

The current law of 1 bucket /per person/per day is not being followed. For the past 25+ years our family has seen trucks, vans and even family cars, pull up to the beach across from our house and proceed to load up their vehicles with sand. No one has ever taken only 1 gallon. The smallest load I've witnessed is five 5 gallon buckets at one time.

When I'm in our yard I would see this occurring approximately 3-4x/wk, sometimes several times in a single day. Sometimes I'll just happen to look out our makai window and see it going on. We also see it going on at night. The usual scene is 2-3 men shoveling sand into 5 gallon buckets which are then emptied into 3-4 trash bins in the truck bed. They work quickly, sometimes there are as many as 6 men.

Police have been called, but this is not an emergency and by the time they arrive, the vehicles have driven off. If I confront the perpetrators they simply move to another part of the beach and carry on, as they feel they are only doing it for a purpose (construction, etc.)

And it's not only people doing this. Groups of men have come and loaded huge truck loads, saying it's for the church. And a former lifeguard also told us years ago the government built a road over a wide beach in Makaha (across from what is now Makaha Marketplace), leaving a narrow remnant beach in it's place. When it storms, sand covers the road, trying to return to what it used to be.

I'm sure this stealing of sand is going on at other not so visible beaches. It wouldn't happen at Waikiki, Ala Moana Beach, or any other visitor beach.

Many if not most of the beaches in Wai'anae once had large high sand dunes. They served as natural sand slides and sand boarding areas. They also worked as protection from high waves. Now they are nearly flattened in most areas.

Beaches are not infinite and after so many years of neglect, need protection and restoration like any other natural resource. Unfortunately, folks will take all they can if allowed to continue. Our family is witness to the fact that the 1 bucket /per day / per person is not being followed nor enforced. You cannot expect a policeman to come to watch anyone taking sand and make sure it's only 1 gallon per person per day everywhere on this island.

Please pass ___SB 2305

Karen GS Young, APRN; Summer Miles; Rachelle Enos; Fred Dodge, MD

cleel - Lina

From: Karen Young [kgsyoung@hotmail.com]
Sent: Tuesday, March 20, 2012 7:50 AM
To: HAWtestimony
Subject: Photo for SB 2305
Attachments: photo.jpg; ATT00001.txt

Please add this to my testimony in support of sb 2305. Photo was taken early in March 2012 off Pokai Bay St., Waianae. There is a man to the left shovelling more bucket fulls of sand. He did not want his photo taken because he is an immigrant. Later in the same day a white pick up with 6 men all with shovels pulled up and started to fill containers to fill the truck. When I informed that what they were doing is illegal, they said it was for a "party". The license plate is PYV 674.

Mahalo, Karen Young & Fred Dodge



cleef1 - Lina

From: Karen Young [kgsyoung@hotmail.com]
Sent: Tuesday, March 20, 2012 7:59 AM
To: HAWtestimony
Subject: 2nd photo for SB2305
Attachments: photo.jpg; ATT00001.txt

Here is photo 1 of 2 to add to my testimony in support of SB2305.
This was also taken in early March 2012 off Pokai Bay St. in Waianae.
2 men had filled 4-5 five gallon buckets with sand using shovels & quickly fled.

I have witnessed this happening 3-4 times per week for the past 25 years.

Please save our sand by passing SB2305. Send a clear message out that taking sand is wrong.

Mahalo,
Karen Young
Waianae resident



clee1 - Lina

From: Dan Carpenter [dic9944@yahoo.com]
Sent: Tuesday, March 20, 2012 4:25 PM
To: HAWtestimony
Subject: Oppose SB2305

This is too draconian. Lets get something that at least lets us put sand in our aquarium once ever month or so. Commercial removal is another matter.