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HB 2106
RELATING TO THE REMOVAL OF SAND

Statement for
House Committee on Oceanography and Marine Resource
Public Hearing 17 February 1978

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SB 1815 proposes to amend the present law limiting the removal of sand, coal, etc. (HRS 205-33). This statement on the bill does not represent an institutional position of the University.

The particular amendments proposed in SB 1815 are:

- 1) The exemption of sand removal for the purpose of replenishment of an adjacent beach from the general prohibition against removal within 1,000 feet from shore or at less than 30-foot depth.
- 2) Deletion of a "grandfather" provision no longer effective.
- 3) Deletion of a special provision for a sand-mining experiment completed some time ago.

The provisions to be deleted in the last two amendments are of no further value. The deletions are appropriate.

The first amendment is not only sensible but would meet a present need. The prohibition in HRS 205-33 against removal of sand less than 1,000 feet from shore or at less than 30-foot depth was intended to prevent the mining of sand deposits contributing to the nourishment of beaches. The present state of understanding of sand movement in littoral cells is adequate to identify some sand deposits less than 1,000 feet from shore and at less than 30-foot depth from which sand is incapable of moving back to beaches.

There is one such deposit in the northwestern part of Kaneohe Bay in which sand is accumulating, after erosion from the Kualoa beach system, in

which the beaches have been retreating rapidly. It is both economically and environmentally advantageous to use this deposit as a source of sand to replenish the beaches artificially. The impacts of the use of sand from this deposit have already been analyzed in an environmental impact statement. The environmental impacts of such sand removal as would be permissible under the proposed amendment would have to be assessed under the State Environmental Impact Statement law before approval could be given to the removal. However, the sand deposit is not "adjacent" to the beach to be replenished but merely in its vicinity. We recommend substitution of the words "sand deposits in their vicinity" for the words "adjacent sand deposits".

The benefits of the proposed amendment, if thus revised, would be considerable. We are not aware of any potential detriment.