

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR
Chairperson**

**Before the Senate Committee on
WATER, LAND, AND HOUSING**

**February 15, 2011
1:15 PM
State Capitol, Conference Room 225**

In consideration of

SENATE CONCURRENT RESOLUTION 2

**AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A
PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53,
HAWAII REVISED STATUTES, RELATING TO RECLAMATION AND DIPOSITION
OF SUBMERGED OR RECLAIMED PUBLIC LAND**

Senate Concurrent Resolution 2 authorized the Department of Land and Natural Resources (Department) to issue a fifty-five (55) year, term, non-exclusive easement to Christine K. Ho, as Trustee of that certain unrecorded Trust established under the Living Trust Declaration of Christine K. Ho, dated January 15, 1988 (and amendments thereto) for a portion of State submerged land , consisting of 130 square feet.

The subject seawall encroachment was discovered during the shoreline certification process filed by the previous owner, Mr. Stanley Dunn. The Office of Conservation and Coastal Lands has determined that removal of the seawall encroachment will not improve beach resources or enhance public access. The Board of Land and Natural Resources at its meeting of February 9, 2007, under agenda Item D-6 and June 10, 2010, under agenda Item D-12, authorized the granting of the fifty-five (55) year, term, non-exclusive easement.

The Department hired ACM Consultants, Inc., which determined as of June 10, 2010, the one-time payment, fair market value of the seawall encroachment is \$10,870.

The Department **supports** this measure. Adoption of this concurrent resolution will allow the Department to issue the fifty-five (55) year, term, non-exclusive easement to Ms. Christine K. Ho.

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
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

February 13, 2010

Re: Hawaii State Legislature 2011 Regular Session: SCR2: Authorizing the issuance of a non-exclusive easement covering a portion of state submerged lands pursuant to section 17153, Hawaii Revised Statutes, relating to reclamation and disposition of submerged or reclaimed public lands for the following property.

303 Front Street
Lahaina Maui Hawaii 96761
TMK: 2-4-6-3-5

Dear Senator,

I have been a resident of Lahaina for over 40 years. I grew up on Front Street near 303 Front Street.

This property has been in very poor shape for over 20 years. It was always some what of a joke that this home was built from the beginning as it is surrounded by many classic plantation homes built by Pioneer Mill over 50 years ago.

I have been a good friend of Christine Ho for many years and have witnessed a few of the other properties in Lahaina that she has remolded. She has always done quality tasteful work in the past and I am very confident that the work that she proposes on 303 Front Street will be of the same quality.

Please grant this non-exclusive easement so that we can enhance the beauty and quality of the homes on South Front Street in Lahaina.

I am sure you will agree that this property needs to be remolded and look forward to your positive response.

Aloha

Wm Buz Moffett
4560 L Honoapiilani Road
Lahaina HI 96761
(808)-870-6794
buzmoffett@gmail.com

February 11, 2011

Re: Hawaii State Legislature 2011 Regular Session: SCR2: Authorizing the issuance of a non-exclusive easement covering a portion of state submerged lands pursuant to section 17153, Hawaii revised statutes, relating to reclamation and disposition of submerged or reclaimed public land for the following property.

Christine Ho, Owner
303 Front Street , Lahaina, HI
TMK# (2)4-6-003:Seaward 005

Aloha Senator Dela Cruz:

As a previous owner of this property and being familiar with the 130 sq.ft. encroachment I would like to offer my support for authorizing the easement.

I am requesting that you vote to approve this resolution for a 55 year non-exclusive easement covering a portion of state submerged lands pursuant to section 17153, HRS, relating to the reclamation and disposition of submerged or reclaimed public land abutting the property at 303 Front St in Lahaina.

Mahalo for your support in considering the request for Christine Ho.

Sincerely,


Stanley Dunn

1045 Front St.

Lahaina, Hi 96761

From: mailinglist@capitol.hawaii.gov
To: [WLH Testimony](#)
Cc: TBrayton@me.com
Subject: Testimony for SCR2 on 2/15/2011 1:15:00 PM
Date: Sunday, February 13, 2011 6:54:58 PM
Attachments: [2011.cwk](#)

Testimony for WLH 2/15/2011 1:15:00 PM SCR2

Conference room: 225
Testifier position: support
Testifier will be present: No
Submitted by: Thomas Brayton
Organization: Individual
Address:
Phone:
E-mail: TBrayton@me.com
Submitted on: 2/13/2011

Comments: