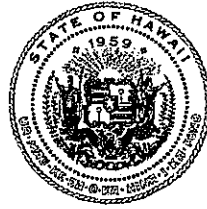


NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.  
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  
STATEPARKS

Testimony of  
WILLIAM J. AILA, JR  
Chairperson

Before the House Committee on  
WATER, LAND, & OCEAN RESOURCES

Friday, March 23, 2012  
10:45 AM  
State Capitol, Conference Room 325

In consideration of  
HOUSE CONCURRENT RESOLUTION 143  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT,  
COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA,  
LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES

House Concurrent Resolution 143 requests the authorization to issue a 55-year term, non-exclusive easement covering a 5,597 square feet, more or less, portion of state submerged lands identified as tax map key: (2) 4-3-006:065, situate at Mahinahina, Lahaina, Maui for a concrete and rubble rock revetment constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources (Department) supports this resolution.

As required by Section 171-53, HRS, the Board of Land and Natural Resources ("Board") may lease submerged lands "with the prior approval of the governor and the prior authorization of the legislature by concurrent resolution". Originally, the Board of Land and Natural Resources, at its meeting in February 19, 1975 under agenda item F-7, approved the issuance of a month-to-month Revocable Permit No. S-5117 to the Association of Apartment Owners of Lokelani for the revetment. A request was later made to cancel the revocable permit to allow for the issuance of a more appropriate non-exclusive term easement. At its meeting on October 24, 2010, under agenda item D-16, the Board approved the cancellation of the revocable permit and issuance of a fifty-five year term, non-exclusive easement to the Association of Apartment Owners of Lokelani.

The Lessee shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by independent appraisal.

Thank you for the opportunity to testify.

## har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 22, 2012 11:23 AM  
**To:** WLOtestimony  
**Cc:** mmhubbell@att.net  
**Subject:** Testimony for HCR143 on 3/23/2012 10:45:00 AM

Testimony for WLO 3/23/2012 10:45:00 AM HCR143

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Michelle Hubbell  
Organization: Individual  
E-mail: [mmhubbell@att.net](mailto:mmhubbell@att.net)  
Submitted on: 3/22/2012

Comments:

## har2-Samantha

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, March 21, 2012 3:37 PM  
**To:** WLOtestimony  
**Cc:** pwardell@uplink.net  
**Subject:** Testimony for HCR143 on 3/23/2012 10:45:00 AM

Testimony for WLO 3/23/2012 10:45:00 AM HCR143

Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Patrick J. Wardell  
Organization: Individual  
E-mail: [pwardell@uplink.net](mailto:pwardell@uplink.net)  
Submitted on: 3/21/2012

Comments:  
I strongly support HCR 143

## har2-Samantha

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Conference room: 325  
Testifier position: Support  
Testifier will be present: No  
Submitted by: Patrick J. Wardell  
Organization: Individual  
E-mail: [pwardell@uplink.net](mailto:pwardell@uplink.net)  
Submitted on: 3/21/2012

Comments:  
I strongly support HCR 143