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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 House Committee on WATER, LAND AND OCEAN RESOURCES

Monday, April 2, 2012 11:00 AM State Capitol, Conference Room 325

In consideration of
HOUSE CONCURRENT RESOLUTION 162/ HOUSE RESOLUTION 126
AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NONEXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL
PURPOSES AT SPRECKELSVILLE BEACH LOTS, WAILUKU, MAUI, AS

APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES

House Concurrent Resolution 162 and House Resolution 126 request the authorization to issue a 55-year term, non-exclusive easement covering a 2,030 square feet, more or less, portion of state submerged lands identified as seaward of tax map key: (2) 3-8-002:051, situate at Spreckelsville Beach Lots, Wailuku, Maui for a seawall constructed thereon, pursuant to section 171-53, Hawaii Revised Statutes.

As required by HRS section 171-53, 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". At its meeting on September 9, 2010, under agenda item D-10, the Board approved the issuance of a fifty-five year term, non-exclusive easement to Koolau Properties, LLC. On October 20, 2011, the Department notified Koolau Properties, LLC that the easement's fair market value was appraised at \$53,400.00. That amount, plus fees was paid on November 17, 2011.

The Department supports these measures. Thank you for the opportunity to testify.

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

AQUALITY CESSIVE COMMISSION
KAHOOLAWE ISLAND SERVE COMMISSION
COMMISSION WATER RESOURCE MANAGEMENT
COMMISSION ON WATER RESOURCE MANAGEMENT
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STATE PARKS

har2-Samantha

From: Sent: mailinglist@capitol.hawaii.gov Friday, March 30, 2012 4:29 PM

To:

WLOtestimony inunyabus@gmail.com

Cc: Subject:

Testimony for HR126 on 4/2/2012 11:00:00 AM

Testimony for WLO 4/2/2012 11:00:00 AM HR126

Conference room: 325

Testifier position: Oppose Testifier will be present: No Submitted by: Elaine Dunbar Organization: Individual E-mail: <u>inunyabus@gmail.com</u> Submitted on: 3/30/2012

Comments:

There's something wrong with this bill.

If they have " encroached" on state land since 1924, how has this been allowed for so long and why haven't they paid up in fines and violations?

I can assure you that if an individual in Waianae were to put up a tent on a 'state' beach there would be all kinds of repercussions.

It would appear the term "encroach" is too mild. It's a violation. It's also called trespassing, but instead of citing them, this bill proposes to grant immunity.

What's going on here?