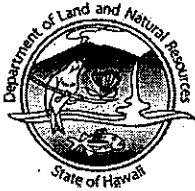


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**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 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 NON-
EXCLUSIVE 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

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

har2-Samantha

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 30, 2012 4:29 PM
To: WLOtestimony
Cc: inunyabus@gmail.com
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: inunyabus@gmail.com
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?