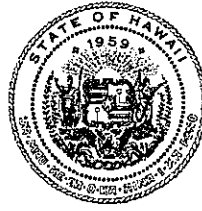


SCR124

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.

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
STATE PARKS

Testimony of
WILLIAM J. AILA, JR
Chairperson

Before the Senate Committee on
WATER, LAND, AND HOUSING

Tuesday, March 27, 2012
1:20 PM
State Capitol, Conference Room 225

In consideration of
SENATE CONCURRENT RESOLUTION 124
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

Senate Concurrent Resolution 124 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.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 23, 2012 2:36 PM
To: WLH Testimony
Cc: pwardell@uplink.net
Subject: Testimony for SCR124 on 3/27/2012 1:20:00 PM

Testimony for WLH 3/27/2012 1:20:00 PM SCR124

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Patrick J. Wardell
Organization: Individual
E-mail: pwardell@uplink.net
Submitted on: 3/23/2012

Comments:
I strongly support SCR 124.

From: mailinglist@capitol.hawaii.gov
Sent: Friday, March 23, 2012 3:47 PM
To: WLH Testimony
Cc: kghile@aol.com
Subject: Testimony for SCR124 on 3/27/2012 1:20:00 PM

Testimony for WLH 3/27/2012 1:20:00 PM SCR124

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: gary hile
Organization: Individual
E-mail: kghile@aol.com
Submitted on: 3/23/2012

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 26, 2012 9:00 AM
To: WLH Testimony
Cc: mmhubbell@att.net
Subject: Testimony for SCR124 on 3/27/2012 1:20:00 PM

Testimony for WLH 3/27/2012 1:20:00 PM SCR124

Conference room: 225
Testifier position: Support
Testifier will be present: No
Submitted by: Michelle Hubbell
Organization: Individual
E-mail: mmhubbell@att.net
Submitted on: 3/26/2012

Comments: