

WRITTEN TESTIMONY IN SUPPORT OF SCR69

HOUSE OF REPRESENTATIVES
COMMITTEE ON WATER & LAND
AND
COMMITTEE ON OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS

MEETING DATE: Thursday, April 18, 2013
TIME: 2:05 p.m.
PLACE: Conference Room 224
State Capitol
415 South Beretania Street

Dear Committee Chairs Evans and Hanohano and honorable members of the Committees on Water & Land and Ocean, Marine Resources, & Hawaiian Affairs:

Good afternoon. My name is Mark Roy with the planning consulting firm, Munekiyo & Hiraga, Inc. I am writing today, on behalf of one of our clients, the Puamana Community Association, to respectfully request your support of SCR-69 that is before the joint committees today.

The Puamana Community Association has been working closely with the staff of both the Department of Land of Natural Resources (DLNR) and the Department of Accounting and General Services (DAGS) over the last couple of years to process and obtain a 55-year term, non-exclusive easement, totaling 1,895 square feet, for encroaching portions of seawalls as well as revetment footings and a groin of a historic swimming pool built in the 1930s at the Puamana Community property in Lahaina, Maui.

These existing non-conforming structures, located along the shoreline of the property, have and continue to provide critical coastal protection from high waves and ongoing erosion for the existing residences within the Puamana Community.

Thank you for the opportunity to submit this written testimony in support of SCR69 on behalf of the Puamana Community Association.

Very truly yours,



Mark Alexander Roy, Vice President
Munekiyo & Hiraga, Inc.
305 High Street, Suite 104
Wailuku, Hawaii 96793.

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 Committees on
WATER & LAND
and
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS**

**Thursday, April 18, 2013
2:05 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE CONCURRENT RESOLUTION 69
AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE
EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT
PUAMANA, LAHAINA, MAUI, FOR VARIOUS SEAWALL STRUCTURES, A
CONCRETE GROIN, AND REVENTMENT FOOTINGS OF A HISTORIC SWIMMING
POOL**

Senate Concurrent Resolution 69 requests the authorization to issue a term, non-exclusive easement covering 1895 square feet, more or less, portion of state submerged lands seaward of the property identified as tax map key: (2) 4-6-028:001, at Puamana, Lahaina, Maui for various seawall structures, a concrete groin and revetment footings of a historic swimming pool constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The owner of the abutting property, Puamana Community Association, a Hawaii non-profit corporation ("PCA"), applied for a shoreline certification in order to obtain permits to repair the swimming pool structure. During the shoreline site inspection conducted on June 3, 2010, several improvements were determined to be encroaching seaward of the shoreline onto public submerged lands. 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". At its meeting on October 26, 2012, under agenda item D-6, the Board approved the issuance of a new term, non-exclusive easement PCA.

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

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

ESTHER KIA'AINA
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