

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

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**Testimony of  
SUZANNE D. CASE  
Chairperson**

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

**Friday, April 13, 2018  
11:00 AM  
State Capitol, Conference Room 325**

**In consideration of  
SENATE CONCURRENT RESOLUTION 45, SENATE DRAFT 1  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, AS  
AMENDED, COVERING A PORTION OF STATE SUBMERGED LANDS AT PUAMANA,  
LAHAINA, MAUI FOR VARIOUS SEAWALL STRUCTURES. A CONCRETE GROIN,  
AND REVETMENT FOOTINGS OF A HISTORIC SWIMMING POOL**

Senate Concurrent Resolution 45, Senate Draft 1 proposes to authorize the issuance of a term, non-exclusive easement, as amended, covering a portion of State submerged lands at Puamana, Lahaina, Maui, for various seawall structures, a concrete groin and revetment footings of a historic swimming pool. **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The current owner of the abutting property, Puamana Community Association (PCA), worked with the Department to resolve the encroachments. The encroachments that were located seaward of the record property boundary were resolved by the execution of a term, non-exclusive easement GL S-6050. The shoreline has moved further mauka, increasing the amount of structures located on state submerged lands. PCA has sought to amend the easement area to account for the additional encroachments.

As required by Section 171-53, Hawaii Revised Statutes, 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 January 12, 2018, under agenda item D-10, the Board approved the amendment of GL S-6050 to include the encroachments seaward of the shoreline. PCA shall pay the State the fair market value of the additional easement area as consideration for the use of public lands. The amount of consideration shall be determined by an independent appraisal.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ROBERT K. MASUDA**  
FIRST DEPUTY

**JEFFREY. T. PEARSON, P.E.**  
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