

DAVID Y. IGE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**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 79, SENATE DRAFT 1
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT AND
ISSUANCE OF IMMEDIATE RIGHT OF ENTRY COVERING A PORTION OF STATE
LAND AT KAA NAPALI, LAHAINA, MAUI FOR BEACH WALK, TRENCH DRAIN,
SIGN, AND PUBLIC BEACH SHOWER PURPOSES**

Senate Concurrent Resolution 79, Senate Draft 1 proposes to authorize the issuance of a term, non-exclusive easement and issuance of immediate right of entry covering a portion of State land at Kaanapali, Lahaina, Maui, for beach walk, trench drain, sign, and public beach shower purposes. **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The current owner of the abutting property, HMC Maui LP, worked with the Department to resolve the encroachments. The encroachments were located seaward of the shoreline on State submerged land. 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 27, 2017, under agenda item D-11, the Board approved the issuance of a term, non-exclusive easement for the purposes stated above. The applicant 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

SCR-79-SD-1

Submitted on: 4/11/2018 3:47:20 PM

Testimony for WAL on 4/13/2018 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jordan Hart	Chris Hart & Partners, Inc., on behalf of land owner	Support	No

Comments:

Aloha Chair Yamane & Chair Ing,

I am respectfully requesting passage of SCR 79, SD1 (SSCR3487).

On January 27, 2017 the Board of Land & Natural Resources (BLNR) issued an approval for a Grant of term, Non-Exclusive easements and Issuance of Immediate Right of Entry to HMC Maui LP for a Trench Drain, Sign and Public Beach Shower Purposes, Hanakaoo, Lahaina, Maui, Tax Map Keys (2) 4-4-013: seaward of 006 & 008. [PSF No.:16MD-180]

The completion of the approved easement is contingent on a concurrent legislative resolution.

The existence of these structures in the shoreline area is consistent with the public interest as determine by the BLNR. Therefore, I respectfully request your support for this resolution, for the conclusion of the easement possess.

Please contact me for any additional information.

Thank you for your consideration.

Jordan E. Hart

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