

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 Senate Committee on  
WAYS AND MEANS**

**Wednesday, April 4, 2018  
4:00 PM  
State Capitol, Conference Room 211**

**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: 4/3/2018 2:59:37 PM

Testimony for WAM on 4/4/2018 4:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	Testifying for the Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i	Support	No

Comments: