

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 Senate Committee on
WATER AND LAND**

**Friday, March 23, 2018
2:55 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE CONCURRENT RESOLUTION 79
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 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

From: [Jordan Hart](#)
To: [WTL Testimony](#)
Subject: SCR 79 - SUPPORT
Date: Wednesday, March 21, 2018 7:53:19 AM

Aloha Chair Rhoads & Members,

I am expressing support for SCR 79.

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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, Hanakao, 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 determined by the BLNR. Therefore, I respectfully request your support for this resolution, for the conclusion of the easement process.

Thank you for your consideration.

Jordan E. Hart

Attachments: ()

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