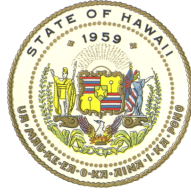
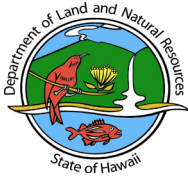


DAVID Y. IGE
GOVERNOR OF HAWAII



**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 Committee on
WATER & LAND**

**Thursday, February 10, 2022
8:30 AM**

State Capitol, Conference Room 430 and Via Videoconference

**In consideration of
HOUSE BILL 2332
RELATING TO EASEMENTS**

House Bill 2332 proposes to exempt the granting of easements on public lands from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements. **The Department of Land and Natural Resources (Department) supports this measure and provides the following comments.**

As noted in the bill's preamble, this measure is intended in part to facilitate the transfer of non-agricultural park lands from the Department to the Department of Agriculture (DOA) pursuant to Act 90 Session Laws of Hawaii 2003, where both agencies have agreed to the transfer but the lack of a documented easement across the land impedes the transfer. The Department appreciates the bill potentially providing another tool to facilitate the Act 90 land transfer process. In some cases, a formal survey of the easement corridor may still be in the best interests of the public. With respect to the subdivision requirement for easements, the Department's understanding is that, at the present time, only the City and County of Honolulu requires subdivision approval for easements.

Thank you for the opportunity to comment on this measure.

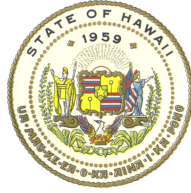
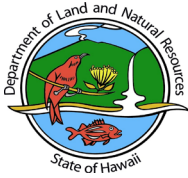
SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
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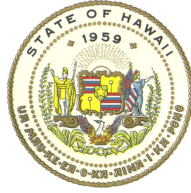
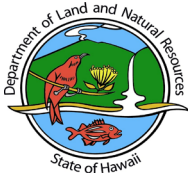
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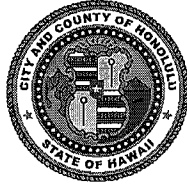
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DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813
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RICK BLANGIARDI
MAYOR



DEAN UCHIDA
DIRECTOR
DAWN TAKEUCHI APUNA
DEPUTY DIRECTOR
EUGENE H. TAKAHASHI
DEPUTY DIRECTOR

February 10, 2022

The Honorable David A. Tarnas, Chair
and Members of the Committee on Water & Land
Hawaii House of Representatives
Hawaii State Capitol
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Tarnas and Committee Members:

**Subject: House Bill No. 2332
Relating to Easements**

The Department of Planning and Permitting (DPP) **opposes** House Bill No. 2332 in its present form.

This Bill exempts the granting of easements on all public lands from the formal subdivision process, and associated survey mapping and description. The DPP considers the exemption to be too broad, as it would apply to other public lands such as county lands. The county relies on the subdivision process to identify and avoid conflicts when easements containing county facilities overlap with easements proposed by other users, such as utility companies or private entities. A survey map is necessary for this purpose, and for the purpose of determining the exact land area encumbered by a private easement and the appropriate fee the county will charge for such easement.

It is evident the subdivision process and the survey mapping for easements are of benefit and necessity to the county and other public agencies, and should not be totally eliminated. The county and/or agencies should be allowed to opt out of the exemption when warranted.

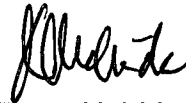
Therefore, the DPP recommends that the language of the Bill be amended from "the granting of easements on public lands shall be exempt..." to "the granting of easements on public lands may be exempt from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements. The government agency granting the easements may notify in writing the county with jurisdiction to process and approve the easements of its intent to invoke this exemption."

The Honorable David A. Tarnas, Chair
and Members of the Committee on Water & Land
Hawaii House of Representatives
House Bill No. 2332
February 10, 2022
Page 2

Accordingly, we urge that this Bill be amended by your Committee.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dean Uchida".

Dean Uchida
Director



Hawaii Cattlemen's Council, Inc.

COMMITTEE ON WATER & LAND
Rep. David A. Tarnas, Chair
Rep. Patrick Pihana Branco, Vice Chair

HB2332
Relating to Easements

Thursday, February 10, 2022, 8:30 AM
VIA VIDEOCONFERENCE

Chair Tarnas, Vice Chair Branco, and Members of the Committee,

The Hawaii Cattlemen's Council (HCC) is the Statewide umbrella organization comprised of the five county level Cattlemen's Associations. Our member ranchers represent over 60,000 head of beef cows; more than 75% of all the beef cows in the State. Ranchers are the stewards of over 750 thousand acres of land in Hawaii, or 20% of the State's total land mass. We represent the interests of Hawaii's cattle producers.

The Hawaii Cattlemen's Council **supports HB2332** to exempt the granting of easements on public lands from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Nicole Galase
Hawaii Cattlemen's Council
Managing Director



HB-2332

Submitted on: 2/9/2022 7:57:28 AM

Testimony for WAL on 2/10/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Brian Miyamoto	Hawaii Farm Bureau	Support	No

Comments:

The Hawaii Farm Bureau supports allowing easements on public lands to be exempt from formal subdivision process and approval requirements, including those for surveying and formalizing easements.

HB-2332

Submitted on: 2/9/2022 8:22:13 AM

Testimony for WAL on 2/10/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ronald Weidenbach	Hawaii Aquaculture & Aquaponics Association	Support	No

Comments:

The HAAA supports this timely measure, benefitting Act 90 parties and well beyond. Since the indicated exemption is limited to public lands, there should be sufficient agency oversight to prevent potential abuse.

HB-2332

Submitted on: 2/8/2022 8:41:22 PM

Testimony for WAL on 2/10/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thorne Abbott	Individual	Support	No

Comments:

As a professional land use planner, I fully support the intent of this bill. Furthermore, each county may differ in its subdivision process (preliminary, final) and triggers within the Special Management Area pursuant to HRS 205A. As a result, well-meaning projects with public support that proceeded through the environmental review process were stymied and delayed, in part, due to unrelated requirements for subdivision. Please support the bill. Mahalo!

HB-2332

Submitted on: 2/9/2022 8:07:20 AM

Testimony for WAL on 2/10/2022 8:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
J Ashman	Individual	Support	No

Comments:

Thank you for introducing, and hopefully passing, this much needed bill.