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**Cc:** [amel.s.chun@hawaii.gov](mailto:amel.s.chun@hawaii.gov)  
**Subject:** Submitted testimony for SCR24 on Mar 18, 2015 14:45PM  
**Date:** Tuesday, March 17, 2015 9:14:34 AM  
**Attachments:** [SCR024\\_LNR\\_03-18-15\\_WTL.pdf](#)

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## **SCR24**

Submitted on: 3/17/2015

Testimony for WTL on Mar 18, 2015 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carty S. Chang	DLNR	Support	Yes

### Comments:

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DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the Senate Committee on  
WATER AND LAND**

**Wednesday, March 18, 2015  
2:45 PM  
State Capitol, Room 224**

**In consideration of  
SENATE CONCURRENT RESOLUTION 24  
AUTHORIZING THE ISSUANCE OF A TERM LEASE AND NON-EXCLUSIVE  
EASEMENT FOR PIER PILINGS ENCROACHMENT PURPOSES AT PULAWAI, ON  
THE ISLAND OF LANAI**

Senate Concurrent Resolution 24 requests the authorization to issue a term lease of fifty-five years and non-exclusive easement for an estimated 585 square feet, more or less,<sup>1</sup> located seaward of Tax Map Key: (2) 4-9-017:002, at Pulawai, Lanai, for pier pilings encroachment purposes, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources ("Department") supports this concurrent resolution.**

The current owner of the abutting property, Lanai Resorts, LLC, dba Pulama Lanai, worked with the Department to resolve the encroachment. The encroachment was identified on state lands located makai of the shoreline and such area should be considered as submerged lands. As required by Section 171-53, HRS, 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 June 13, 2014, under agenda item D-11, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

The grantee shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by an independent appraisal.

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<sup>1</sup> The easement area is subject to review and confirmation by the State Surveyor.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING 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

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**Subject:** Submitted testimony for SCR24 on Mar 18, 2015 14:45PM  
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## **SCR24**

Submitted on: 3/16/2015

Testimony for WTL on Mar 18, 2015 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimana DaMate	Aha Moku Advisory Committee	Support	Yes

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**Department of Land and Natural Resources  
Aha Moku Advisory Committee  
State of Hawaii  
Post Office Box 621  
Honolulu, Hawaii 96809**

Testimony of  
Leimana DaMate  
AMAC Executive Director

Before the Senate Committee on Water and Land

Monday, March 18, 2015  
2:45 P.M.  
State Capitol, Conference Room 224

**In SUPPORT  
SCR 24**

**BLNR Authorization; Pier Pilings Encroachment Purposes at Pulawai, on the Island of Lana'i**

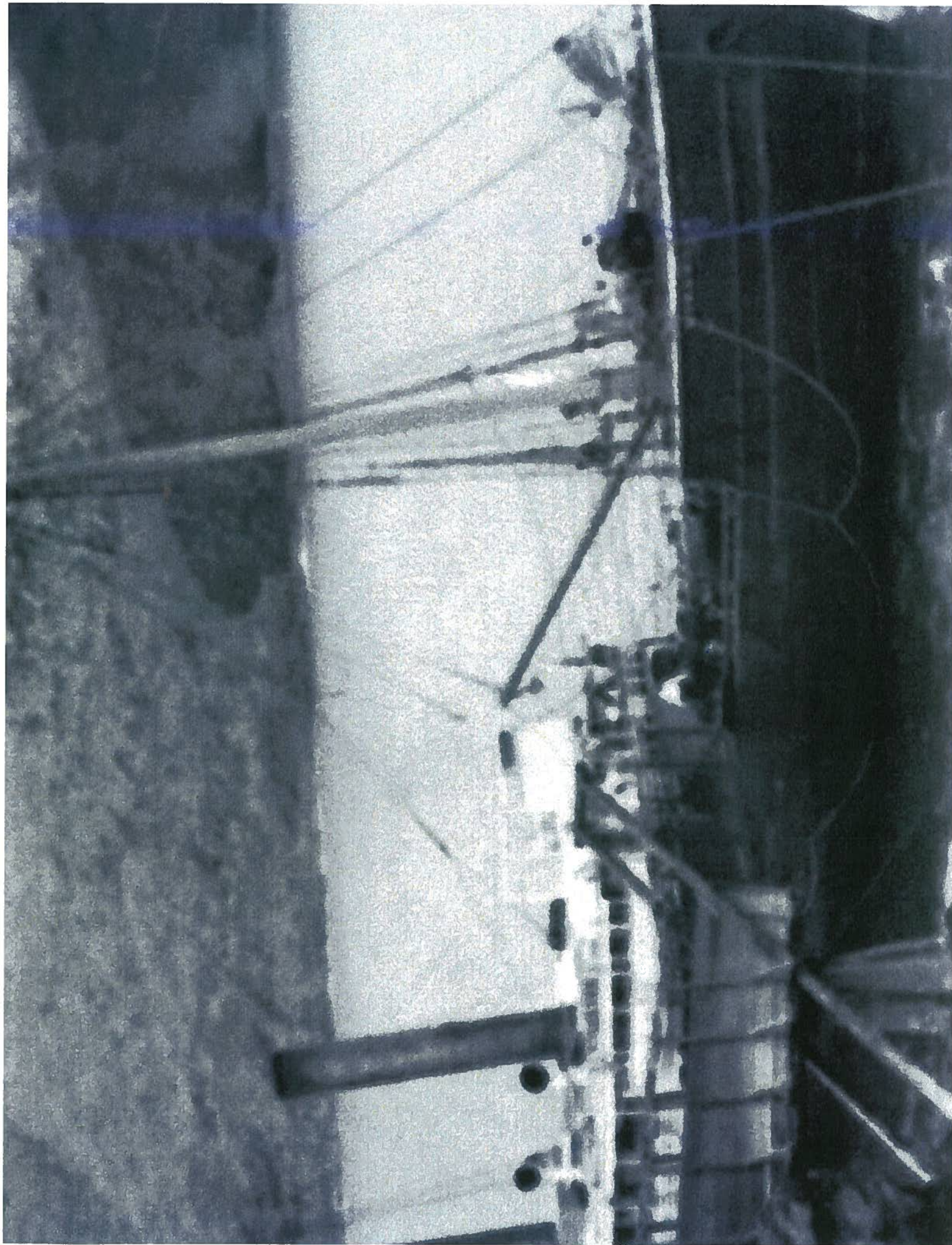
SCR 24 authorizes the issuance of a term lease and non-exclusive easement for pier pilings encroachment purposes at Pulawai, on the Island of Lana'i.

“The “Pipi Chute” was built in ca. 1919-1920, and used to load/unload interisland steamers – livestock, supplies and passengers. The attached photograph from the Munro collection/Kenneth Emory album is from 1921. The S.S. Mikahala is pulled to the bluff, and the chute led down onto the steamer deck. One of the two historic cement stanchions that held up the chute is visible. The wooden chute was still extant through the 1970’s when I was growing up. It is historical features also associated with cement salt-making basins just a little to the north of the chute and wing fence that kept cattle in line for loading.” (Kepa Maly, June 2014)

The Pipi Chute is considered a historic site by the people of Lana'i. In June 2014, the Aha Moku of Lana'i supported Pulama Lana'i in their request before the Board of Land and Natural Resources (BLNR) for a 55-year term, non-exclusive easement for the pier pilings encroachment purposes. However, the BLNR request requires the approval of the Governor and prior authorization of the Legislature by concurrent resolution for the leasing of state submerged lands and lands below tidal waters.

The AMAC supports Resolution 24 and asks that this pass this resolution.





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## **SCR24**

Submitted on: 3/16/2015

Testimony for WTL on Mar 18, 2015 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lynn McCrory	Pulama Lanai	Support	Yes

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Testimony for  
Committee on Water and Land  
Wednesday, March 18, 2015, 2:45 p.m., Room 224

Senator Laura H. Thielen, Chair  
Senator Brickwood Galuteria, Vice Chair

**SCR 24 AUTHORIZING THE ISSUANCE OF A TERM LEASE AND NON-EXCLUSIVE EASEMENT FOR PIER  
PILINGS ENCROACHMENT PURPOSES AT PULAWAI, ON THE ISLAND OF LĀNAʻI**

Dear Chair Thielen and Members of the Committee:

This letter is in **STRONG SUPPORT** of SCR24 which authorizes a 55 year term lease and non-exclusive easement for the pier pilings on Lānaʻi. The pier pilings are the remnants of the cattle chute constructed in the early 1900's and used to move the cattle from the land to the ships located offshore at Manele. I am Lynn McCrory, Senior Vice President of Government Affairs for Pūlama lanai. Pūlama Lānaʻi is the entity that has been set up to manage the assets and to work with the community and government as we move the island of Lānaʻi toward sustainability.

The pier pilings are a State Historic Preservation Division (SHPD) site, #1522, and are the last remnants of what once was a cattle ranching operation that ended in the 1950's. The Office of Conservation and Coastal Lands (OCCL) confirmed that the pier piling remnants are non-conforming use and no further permits were needed from OCCL. The options were to remove the pier pilings or apply for the easement. Pūlama Lānaʻi prefers to retain the pier pilings because of their historical significance. We held a community meeting on this subject and the community submitted testimony in support of the easement to the Board of Land and Natural Resources.

All documents have been submitted to the Land Division to finalize the easement. This Legislative Resolution is the final approval for the easement to be granted.

We humbly ask that you support SCR24. Mahalo!

Me ke aloha pumehana  
With warm aloha,

Lynn P. McCrory  
Senior Vice President of Government Affairs