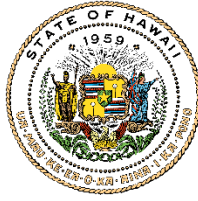


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA**

P.O. BOX 621
HONOLULU, HAWAII 96809

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N.S. CHANG
Chairperson**

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

**Friday, March 7, 2025
1:00 PM**

State Capitol, Conference Room 229, Via Videoconference

**In consideration of
SENATE CONCURRENT RESOLUTION 3
AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE
EASEMENT TO THE CITY AND COUNTY OF HONOLULU COVERING A PORTION
OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU,
FOR THE STORMWATER MANAGEMENT OUTFALL AND DRAINAGE
SYSTEM, AND FOR THE USE, REPAIR, AND MAINTENANCE OF THE
IMPROVEMENTS CONSTRUCTED THEREON.**

Senate Concurrent Resolution 3 is an Administration measure that requests Legislative approval for a perpetual, non-exclusive easement to the City and County of Honolulu covering approximately 1,050 square feet of State submerged lands located seaward of the property identified as Tax Map Key: (1) 3-9-003:028, at Maunalua, Honolulu, O'ahu, for the existing City and County stormwater management outfall and drainage system at the site. **The Department of Land and Natural Resources (Department) supports this Concurrent Resolution and respectfully requests an amendment to its title.**

The structure subject to this measure is a portion of a stormwater management outfall and drainage system that was installed in approximately 2018 by the City & County of Honolulu pursuant to Conservation District Use Permit OA-3804. The 2018 structures replaced a prior outdated and ineffective outfall and drainage system in the same location. The structures are primarily located within a City & County storm drain easement that runs across private properties from Portlock Road to the ocean. Portions of the outfall and drainage system extend makai of the shoreline and are therefore encroachments on State submerged lands.

At its meeting on February 9, 2018, under Agenda Item K-3, the Board of Land and Natural Resources (Board) approved the grant of a perpetual non-exclusive easement to resolve the outfall and drainage system encroachment at gratis consideration. The perpetual term and gratis consideration were approved because the encroachment at issue is public infrastructure that is owned and operated by the City & County of Honolulu and was constructed by the City & County pursuant to proper permits.

At the 2018 Board meeting, the Office of Conservation and Coastal Lands (OCCL) stated that the outfall and drainage system were designed for long-term functionality in an effort to avoid resource intensive repairs or future large-scale replacement. OCCL further stated that the outfall and drainage system has a positive effect on the costal environment when compared to the outdated structures that it replaced by improving the quality of storm water entering the ocean, providing a more stable structure for the safety of the public that uses the shoreline in the area, and improving the aesthetics of the shoreline area through removal of broken concrete and other debris in the shoreline.

It is not known why legislative approval for the subject easement was not sought immediately after Board approval in 2018. Land Division staff discovered the incomplete easement in 2024 and is now seeking the Legislature's approval so that the easement process can be properly finalized.

The Department respectfully requests that the Committee consider amending the title of this measure to accurately reflect the fact that the requested easement is to be granted to the City and County of Honolulu for its public infrastructure. The requested amendment reads as follows:

AUTHORIZING THE ISSUANCE OF A TWENTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT TO THE CITY AND COUNTY OF HONOLULU COVERING A PORTION OF STATE SUBMERGED LANDS AT LAIE, KOOLAULOA, OAHU, FOR A ROCK REVETMENT THAT INCLUDES STAIRS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON.

Mahalo for the opportunity to testify in support of this measure.

SCR-3

Submitted on: 3/6/2025 9:30:24 AM

Testimony for WTL on 3/7/2025 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Russell Tsuji	Testifying for Department of Land and Natural Resources	Support	Remotely Via Zoom

Comments:

DLNR testmiony was previously submitted on main testimony account. Request for a zoom link for additional staff to provide backup at the hearing.