

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
WATER AND LAND**

**Monday, March 25, 2019
1:15 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE CONCURRENT RESOLUTION 83/SENATE RESOLUTION 60
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CLEAN UP ALL LITTER ON THE PARCEL OF STATE LANDS, IDENTIFIED AS
TAX MAP KEY (3) 7-4-08: 21, LOCATED AT THE INTERSECTION OF QUEEN
KAAHUMANU HIGHWAY AND PALANI ROAD**

Senate Concurrent Resolution 83/Senate Resolution 60 request the Department of Land and Natural Resources (Department) to clean up all litter on the parcel of State lands identified as Tax Map Key: (3) 7-4-008:021 (Parcel 21), located at the intersection of Queen Kaahumanu Highway and Palani Road in Kailua-Kona, Hawaii. **The Department respectfully opposes these resolutions.**

First, according to the Department's land inventory system, Parcel 21 is a road remnant under the jurisdiction of the Department of Transportation (DOT), Highways Division. The Department has no jurisdiction over or management responsibility for Parcel 21, and is therefore not authorized to expend Special Land and Development Fund monies for the maintenance of the land.

Second, Chapter 264, Hawaii Revised Statutes (HRS), clearly states that public roads and highways are owned and maintained by the counties unless specifically within the inventory of the Highways Division of DOT.

Finally, Section 171-2, HRS, specifically excludes public roads from the definition of public lands, and from the jurisdiction of the Department and Board of Land and Natural Resources.

Therefore, the Department respectfully requests these resolutions be held.

Thank you for the opportunity to comment on these measures.

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
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COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
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ENGINEERING
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS