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 22, 2021 1:45 PM State Capitol, Via Videoconference, Conference Room 229

In consideration of

### SENATE CONCURRENT RESOLUTION 102/SENATE RESOLUTION 79 AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING PORTIONS OF SUBMERGED LANDS AT MAUNALUA, OAHU, HAWAII, FOR THE CONSTRUCTION AND MAINTENANCE OF A ROCK GROIN TO SLOW THE RATE OF SEDIMENT DEPOSITION IN THE ENTRANCE CHANNEL OF THE HAWAII KAI MARINA

Senate Concurrent Resolution 102/Senate Resolution 79 requests the authorization to issue a perpetual, non-exclusive easement for a portion of state submerged lands, 7,852 square feet, more or less, identified by tax map key: (1) 3-9-002:seaward of Kalanianaole Highway near the bridge, at Maunalua, Oahu for the use, repair, and maintenance of a rock rubble groin to be constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources (Department) supports these resolutions.

The requested area will be used to build a rock rubble groin on state lands and will serve the purpose of replacing the existing deteriorating 150-foot long, sandbag groin. The grantee (Hawaii Kai Marina Community Association) currently has a perpetual, non-exclusive easement issued in 2004 for maintenance of the Hawaii Kai Marina channel entrance at the Kalanianaole Highway bridge and the sandbag groin. The existing easement area is divided into Easement "A" and Easement "B", 21,768 and 29,120 square feet, respectively. The grantee paid the fair market value of the easement, in the amount of \$71,000, in 2004 as consideration for the use of public lands as determined by an independent appraisal.

In March 2016, the grantee started working with the Department's Office of Conservation and Coastal Lands (OCCL) to address the deteriorating sandbag structure located within Easement B. The sandbag structure was originally constructed to slow the longshore transport rate of sand along Portlock Beach and reduce the rate of sediment accumulation in the channel entrance. However, due to the rising cost of maintenance, repair, and replacement of the sandbags and the cost of maintaining and dredging the channel entrance a more permanent solution was sought. The rock

SUZANNE D. CASE CHAIRPERSON BOARD OF LAND 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 RESOURCES ENFORCEMENT ENGINEERING FORESTRY AND WILDLIFE HISTORIC PRESERVATION KAHOOLAWE ISLAND RESERVE COMMISSION LAND STATE PARKS rubble groin will eliminate the need for maintaining sandbags. OCCL notes that the rock rubble groin will reduce the rate of sediment loss from Portlock Beach into the channel entrance, thereby reducing the number and frequency of dredging activities which can stress the environment.

Also, although not a condition of the Conservation District Use Permit (CDUP), the grantee is proposing to use the accumulated sand that collects against the up-drift side of the rock rubble groin for beach nourishment (sand back-passing approximately every 4 years) at the east end of Portlock Beach. OCCL pointed out that sand back-passing would prevent excess accumulated sand from being deposited into the marina channel, and it would be an efficient and sustainable strategy to maintain the limited sand resource at Portlock Beach. The larger rock rubble groin will require an additional 7,852 square feet, more or less, beyond that of the existing easement area. At its meeting on August 30, 2018, under agenda item K-2, the Board of Land and Natural Resources (Board) unanimously approved OCCL's CDUP OA-3820 for the Hawaii Kai Marina entrance groin replacement project and there was no public opposition.

Subsequently, at its meeting on June 12, 2020, under agenda item D-7, the Board unanimously approved amending the existing easement by increasing the area to the requested 7,852 square feet, more or less, and there was no public opposition.

The grantee is working with the Department to resolve the proposed improvements through a disposition. As required by Section 171-53, HRS, the Board may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution".

The grantee is required by law to pay fair market value for the easement, which the State's independent appraiser determined to be \$400,000. Recently, grantee rejected the appraised value. There is a procedure specified in Section 171-17, Hawaii Revised Statutes, to address disputes of fair market value and the Department will request the grantee to adhere to that process. Accordingly, no consideration has been paid for the easement to date.

Thank you for the opportunity to comment on these measures.

I am a member of the Hawaii Kai Marina Community Association. I strongly support the replacement of the temporary sand bag groin at the entrance of the Hawaii Kai Marina with a permanent rock groin.



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The project includes replacing the existing sandbag groin at the Hawaii Kai Marina Entrance Channel with a permanent rock groin. After groin construction, sand that has accumulated on the Portlock side of the groin will be back-passed to the east end of Portlock Beach and used to restore areas of eroded shoreline.

### **Project Facts**

- The project owner is the Hawaii Kai Marina Community Association
- The project engineering is Sea Engineering, Inc. (Derek Linsley PE, dlinsley@seaengineering.com)
- The project is on State submerged lands
- The existing sandbag groin is 150 feet long and is severely degraded
- The new groin would be 290 feet long and made of basalt armor stones
- After groin construction, 400 cubic yards of sand would be taken from the construction area and moved to the east end of Portlock Beach to help restore eroded shoreline
- Anticipated construction duration is approximately 3 months
- Construction access would be via Maunalua Bay Beach Park
- Dredging of the Entrance Channel is not included in this project

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1/25/2021 Date 1-25-2

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/-25-202/ Date /-25-202/ MILLER JOHN W. Print Name & Signature bean hill

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Judith Mackenzie Print Name & Signature

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Spring 2021 - Anticipated construction

LAURIE KIMURA

Print Name & Signature

2-10-21

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### **Project Description**

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JOHN H. GREGONTTY **Print Name & Signature** 

2/3/21

Date

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George J. Gubener P.O. Box 25584 96825-0584

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Spring 2021 - Anticipated construction

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Spring 2021 - Anticipated construction

TORE LERAAND Tore Leman

1/30/2021

Print Name & Signature

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Print Name & Signature Valerie B. Pacheco Valerie Date 02/19/20-21

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Spring 2021 - Anticipated construction

PAND PIPILATO **Print Name & Signature** 

2/16/2

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Spring 2021 - Anticipated construction

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tephone Swanson

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threw Heddes

2/20/202

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Richard Rocholeau

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ad a tothera Print Name & Signature

<u>Z/14/</u>zo Date 2/15/2

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Print Name & Signature

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- The project engineering is Sea Engineering, Inc. (Derek Linsley PE, dlinsley@seaengineering.com)
- The project is on State submerged lands
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Name & Signature

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29/2021 CHRISTOPHER R. LAIRD

Print Name & Signature

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Spring 2021 - Anticipated construction Clifford Araki 1 (28/21

**Print Name & Signature** 

Date

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Beverly Candinal Brough (un hil Print Name & Signature

Jan'a

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Josh Lee Print Name & Signature

Date

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Elizabeth MacNeill

Print Name & Signature

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Dina Walker ina Walker Print Name & Signature

1-28-21 Date

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Kathy M. Koch Kathy M. Koch Print Name & Signature

2/3/2021

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Spring 2021 - Anticipated construction

02/04/2021

Print Name & Signature

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**Print Name & Signature** 

Date

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02106 DEREK B. Daver le\_ Print Name & Signature

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Spring 2021 - Anticipated construction

18/2021

Date

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LOREN Zuliche 7

Print Name & Signature

13/2021

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Lacoulin N. Miller 1/28/2021 Print Name & Signature

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ANDREW KOPAGZ

Print Name & Signature

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Name & Signati

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Spring 2021 - Anticipated construction

BRIAN J. DEVERS Jun 12

Print Name & Signature

2-22-21 Date

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Amy Sanada Print Name & Signature

Sanada 129/2021
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chael redersen **Print Name & Signature** 

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Timothy P. Hagan Print Name & Signature

1/28/2021

I am a member of the Hawaii Kai Marina Community Association. I strongly support the replacement of the temporary sand bag groin at the entrance of the Hawaii Kai Marina with a permanent rock groin.



#### **Project Description**

The project includes replacing the existing sandbag groin at the Hawaii Kai Marina Entrance Channel with a permanent rock groin. After groin construction, sand that has accumulated on the Portlock side of the groin will be back-passed to the east end of Portlock Beach and used to restore areas of eroded shoreline.

### **Project Facts**

- The project owner is the Hawaii Kai Marina Community Association
- The project engineering is Sea Engineering, Inc. (Derek Linsley PE, dlinsley@seaengineering.com)
- The project is on State submerged lands
- The existing sandbag groin is 150 feet long and is severely degraded
- The new groin would be 290 feet long and made of basalt armor stones
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- Anticipated construction duration is approximately 3 months
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Spring 2021 - Anticipated construction

ebustion A.J. Duris

Print Name & Signature

61/2

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PAUL W. SOEWKSEN Print Name & Signature

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BRIAN SOUZA

**Print Name & Signature** 

Date

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Print Name & Signature

25/21

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Spring 2021 - Anticipated construction

Jasm M. Coole COOK 4SON

Print Name & Signature

1/30/21

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ANTON C. KRUCKY



Mr. Anton Krucky 762 Kalanipuu St. Honolulu, HI 96825

2021

Print Name & Signature

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Jeffney Williamson Print Name & Signature

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Spring 2021 - Anticipated construction

Print Name & Signature

1-27-

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HAN PARK

Print Name & Signature

29

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SALLUEL T. BAZ

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Brandon Keene Print Name & Signature

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Kenneth J. ZENKER Kennet Print Name & Signature

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Spring 2021 - Anticipated construction

MIKE Mc Cormick

Print Name & Signature

1-27-21 Date

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Chus Mikewie Chis Mikemie Print Name & Signature

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16 MALL Print Name & Signature

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Spring 2021 - Anticipated construction

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Print Name & Signature

Date

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rian Kiksd

Print Name & Signature

129/2

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JANET JACOBSON Print Name & Signature

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THOMAS GERMAN Print Name & Signature

30/21 Date

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tello 01/28/2021 Print Name & Signature

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1/30/2021

Print Name & Signature

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Spring 2021 - Anticipated construction

Bitalan BRADLEY HENNINGTON

1/29/2021

Print Name & Signature

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WIRNIFRED HAY LSWALD

Print Name & Signature

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Monica KIM

Print Name & Signature

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Print Name & Signature

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1/28/2021

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1/31/21 Icean Wayne Gregory Hense - Worrow Deen Kise - Rorow **Print Name & Signature**
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L. STEPHEN LAU **Print Name & Signature** 

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The project includes replacing the existing sandbag groin at the Hawaii Kai Marina Entrance Channel with a permanent rock groin. After groin construction, sand that has accumulated on the Portlock side of the groin will be back-passed to the east end of Portlock Beach and used to restore areas of eroded shoreline.

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Spring 2021 - Anticipated construction

Franklin R. Smith

26 JAN 2021

Print Name & Signature

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TOE PELLETIER Jeleten 1-26-2021

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765 Kumukaui PL Hon 11; 96325 1-24. Timothy Twick-Smith Print Name & Signature Date

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1-26-21 Maggie Turge-SMITH Print Name & Signature Date

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Rhoads Stevens mp 5/2021

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Arthory MARTYSK Print Name & Signature

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- After groin construction, 400 cubic yards of sand would be taken from the construction area and moved to the east end of Portlock Beach to help restore eroded shoreline
- Anticipated construction duration is approximately 3 months
- Construction access would be via Maunalua Bay Beach Park
- Dredging of the Entrance Channel is not included in this project

#### **Project Timeline**

 $\underline{2013}$  - Existing sandbag groin installed to reduce the rate of sand accumulation in the Hawaii Kai Marina Entrance Channel

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- 2020 Department of the Army Permit issued

Print Name & Signature

01-26-2021

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#### **Project Description**

The project includes replacing the existing sandbag groin at the Hawaii Kai Marina Entrance Channel with a permanent rock groin. After groin construction, sand that has accumulated on the Portlock side of the groin will be back-passed to the east end of Portlock Beach and used to restore areas of eroded shoreline.

### **Project Facts**

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