

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
WILLIAM J. AILA, JR.
Chairperson

Before the House Committee on
WATER, LAND, AND OCEAN RESOURCES

Friday, March 4, 2011
10:15 AM
State Capitol, Conference Room 325

In consideration of
HOUSE CONCURRENT RESOLUTION 29
AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A
PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53,
HAWAII REVISED STATUTES, RELATING TO RECLAMATION AND DIPOSITION
OF SUBMERGED OR RECLAIMED PUBLIC LAND

House Concurrent Resolution 29 authorizes the Department of Land and Natural Resources (Department) to issue a fifty-five (55) year, term, non-exclusive easement to Christine K. Ho, as Trustee of that certain unrecorded Trust established under the Living Trust Declaration of Christine K. Ho, dated January 15, 1988 (and amendments thereto) for a portion of state submerged land, consisting of 130 square feet and not 69 square feet as cited in the fourth WHEREAS of this concurrent resolution. The Department supports this measure as amended.

The subject seawall encroachment was discovered during the shoreline certification process filed by the previous owner, Mr. Stanley Dunn. The Office of Conservation and Coastal Lands has determined that removal of the seawall encroachment will not improve beach resources or enhance public access. The Board of Land and Natural Resources at its meeting of February 9, 2007, under agenda Item D-6 and June 10, 2010, under agenda Item D-12, authorized the granting of the fifty-five (55) year, term, non-exclusive easement.

The Department hired ACM Consultants, Inc., which determined as of June 10, 2010, the one-time payment, fair market value of the seawall encroachment is \$10,870.

Adoption of this concurrent resolution will allow the Department to issue the fifty-five (55) year, term, non-exclusive easement to Ms. Christine K. Ho.

WILLIAM J. AILA, JR.
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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