

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR
Chairperson**

**Before the House Committees on
WATER & LAND
and
OCEAN, MARINE RESOURCES & HAWAIIAN AFFAIRS**

**Monday, March 25, 2013
8:45 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 144
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA,
KOOLAUPOKO, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN
EXISTING PIER**

House Concurrent Resolution 144 requests the authorization to issue a term, non-exclusive easement covering 589 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-6-001:seaward of 014, at Heeia, Koolaupoko, Oahu for maintenance and repair of existing pier constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The owners of the abutting property, Bernice Bailey, Frederick Bailey, Jr., and Susan Koehler, applied to the Department for a non-exclusive easement for pier purposes over State 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 December 14, 2012, under agenda item D-13, the Board approved the issuance of a new term, non-exclusive easement for pier purposes.

The Lessee is required to pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration is to be determined by independent appraisal.

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

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
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