

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 Committee on
WATER & LAND**

**Monday, March 17, 2014
8:00 A.M.
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 38
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA, KOOLAUPOKO,
OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER**

House Concurrent Resolution 38 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.

However, a similar request is also in the Department's package of resolutions for the current session, under House Concurrent Resolution 18, which is scheduled to be considered by the House Committee on Ocean, Marine Resources & Hawaiian Affairs on March 12, 2014.

The current owners of the abutting property, Bernice Bailey, Frederick Bailey, Jr., and Susan Koehler, worked with the Department to resolve the encroachment. The pier was found encroaching on State lands located makai of the shoreline and such area should be considered as 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 term, non-exclusive easement for pier purposes.

The Department hired the appraisal firm of Appraisal Hawaii, Inc. who determined the one-time payment fair market value of the easement is \$11,200.

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

JESSE K. SOUKI
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
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LAND
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