

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  
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS  
and  
WATER & LAND**

**Monday, March 11, 2013  
10:30 AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 46  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT LANIKAI.  
KOOLAUKO, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN  
EXISTING SEAWALL AND REVETMENT**

House Concurrent Resolution 46 requests the authorization to issue a term, non-exclusive easement covering 1,268 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-3-005: seaward of 056, at Lanikai, Koolaupoko, Oahu for maintenance and repair of existing seawall and revetment constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The subject seawall and revetment encroachments were discovered during the due diligence by the current owner, Mr. & Mrs. James Duncan, who were planning on listing the property for sale. The Office of Conservation and Coastal Lands has determined that removal of the encroachment will likely accelerate the loss of beach resources at the subject location. 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 January 13, 2012, under agenda item D-17, the Board approved the issuance of a term, non-exclusive easement.

The Department hired the appraisal firm of Appraisal Hawaii Inc. who determined the one-time payment, fair market value of the easement is \$85,000.

**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