

SCR 46

AUTHORIZING THE ISSUANCE OF A TERM,
NON-EXCLUSIVE EASEMENT COVERING A
PORTION OF STATE SUBMERGED LANDS AT
LANIKAI, KOOLAPOKO, OAHU, FOR
SEAWALL AND REVETMENT PURPOSES.

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 Senate Committee on
WATER AND LAND**

**Tuesday, March 12, 2013
1:25 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE 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**

Senate 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 Department's 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