

SCR106/SR72

Measure Title: 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 DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND.

Report Title: Reclamation and disposition of submerged or reclaimed public land

Description:

Companion:

Package: None

Current Referral: WTL, WAM

Introducer(s): SLOM

<u>Sort by Date</u>		Status Text
3/12/2013	S	Offered.
3/19/2013	S	Referred to WTL, WAM.
3/21/2013	S	The committee(s) on WTL has scheduled a public hearing on 03-27-13 10:00AM in conference room 225.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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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

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

**Before the Senate Committee on
WATER AND LAND**

**Wednesday, March 27, 2013
10:00 AM
State Capitol, Conference Room 225**

**In consideration of
SENATE CONCURRENT RESOLUTION 106 / SENATE RESOLUTION 72
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI,
HONOLULU, OAHU, FOR THE USE, MAINTENANCE, AND REPAIR OF AN
EXISTING PIER**

Senate Concurrent Resolution 106/Senate Resolution 72 request the authorization to issue a term, non-exclusive easement covering 260 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001:seaward of 021, at Waikiki, Honolulu, 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 these resolutions.**

The prior owners of the abutting property, Mr. & Mrs. Kenton Eldridge, 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 January 11, 2013, under agenda item D-9, the Board approved the issuance of a new term, non-exclusive easement for pier purposes.

The Department notes that the area of the pier is 260 square feet pursuant to the map approved by the Department of Accounting and General Services, Survey Division dated February 4, 2013.

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.