NEIL ABERCROMBIE





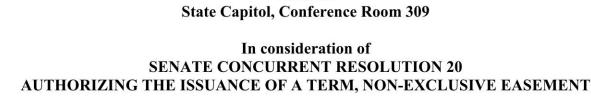
STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621 HONOLULU, HAWAII 96809

Testimony of WILLIAM J. AILA, JR Chairperson

Before the House Committee on FINANCE

Thursday, April 17, 2014 1:30 PM



COVERING A PORTION OF STATE SUBMERGED LANDS AT MOKULEIA, WAIALUA, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND CONCRETE FOOTING

Senate Concurrent Resolution 20 requests the authorization to issue a term, non-exclusive easement covering 144 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 6-8-010: seaward of 021, at Mokuleia, Waialua, maintenance and repair of existing seawall and concrete footing constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources ("Department") supports this concurrent resolution.

The current owner of the abutting property, Gregory Michaels, worked with the Department to resolve the encroachment. The seawall and concrete footing were 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 May 24, 2013, under agenda item D-13, the Board approved the issuance of a term, non-exclusive easement for seawall and concrete footing purposes.

The grantee shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by independent appraisal.

Thank you for the opportunity to testify.



CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

WILLIAM M. TAM

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