

SCR23

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Submit Testimony

Measure Title:

AUTHORIZING THE ISSUANCE OF TWO (2) TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTION OF STATE SUBMERGED LANDS AT MOKULEIA, WAIALUA, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL AND ROCK PILE, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

Report Title:

Non-Exclusive Easements Covering Portion of State Submerged Lands at Mokuleia, Waialua, Oahu

Description:

Companion:

Package: Governor

Current Referral: WTL, WAM

Introducer(s): KIM (Introduced by request of another party)

Sort by Date		Status Text
1/23/2014	S	Offered.
1/27/2014	S	Referred to WTL, WAM.
1/31/2014	S	The committee(s) on WTL has scheduled a public hearing on 03-10-14 1:30PM in conference room 225.

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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HONOLULU, HAWAII 96809

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

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

**Monday, March 10, 2014
1:30 PM
State Capitol, Conference Room 225**

**In consideration of
SENATE CONCURRENT RESOLUTION 23
AUTHORIZING THE ISSUANCE OF TWO (2) TERM, NON-EXCLUSIVE
EASEMENTS COVERING PORTIONS OF STATE SUBMERGED LANDS AT
MOKULEIA, WAIALUA, OAHU, FOR THE MAINTENANCE AND REPAIR
OF THE EXISTING SEAWALL AND ROCK PILE**

Senate Concurrent Resolution 23 requests the authorization to issue two (2) term, non-exclusive easements covering a total of 456 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 6-8-010: seaward of 014 and 015, at Mokuleia, Waialua, Oahu for maintenance and repair of existing seawall and rock pile 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, Sutton Family Partners, worked with the Department to resolve the encroachment. The seawall and rock pile 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-12, the Board approved the issuance of two (2) term, non-exclusive easements for seawall and rock pile purposes.

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

Thank you for the opportunity to testify.

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