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GOVERNOR OF HAWAII



SUZANNE D. CASE
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COMMISSION ON WATER RESOURCE MANAGEMENT

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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committees on
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS
and
WATER & LAND

Wednesday, March 23, 2016
10:30 AM

State Capitol, Conference Room 325

In consideration of
HOUSE CONCURRENT RESOLUTION 18
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE,
KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE
EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING
IMPROVEMENTS CONSTRUCTED THEREON

House Concurrent Resolution 18 requests the authorization to issue a term, non-exclusive easement covering 100 square feet, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 4-5-001:seaward of 018, at Kaneohe, Koolau-poko, Oahu for the use, repair, and maintenance of the existing pier constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) supports this Administration concurrent resolution.**

The current owners of the abutting property, Paul and Teruko Noto Trusts, who held a revocable permit issued by the Board of Land and Natural Resources (Board) for the subject pier, decide to convert the permit into a long term disposition. The pier was located makai of the shoreline and such area should be considered as state submerged lands. As required by Section 171-53, HRS, the 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 June 26, 2015, under agenda item D-8, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

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 an independent appraisal.