

**SCR 19**

DAVID Y. IGE  
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 Senate Committee on  
WATER, LAND, AND AGRICULTURE

Wednesday, March 2, 2016  
2:45 PM  
State Capitol, Room 224

In consideration of  
**SENATE CONCURRENT RESOLUTION 19**  
**AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE**  
**EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT**  
**KUKUIULA, KOLOA, KAUAI, FOR THE MAINTENANCE AND REPAIR OF THE**  
**EXISTING ROCK SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR**  
**OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON**

Senate Concurrent Resolution 19 requests the authorization to issue a term, non-exclusive easement for an estimated 535 square feet, more or less, located on state submerged lands identified as tax map key (4) 2-6-012:seaward of 001, at Kukuiula, Koloa, Kauai, for the maintenance and repair of the existing rock seawall and for the use, maintenance, and repair of the existing improvements 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 landward property, David G. Jorgensen and Annette Thatcher Jorgensen, Trustees of the David and Annette Jorgensen Revocable Trust, worked with the Department to resolve the encroachment. The encroachment was identified 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 November 14, 2014, under agenda item D-2, 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.

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**SCR19**

Submitted on: 2/20/2016

Testimony for WLA on Mar 2, 2016 14:45PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Rachel L. Kailianu	Ho`omana Pono, LLC	Support	Yes

Comments:

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