



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

Thursday, April 14, 2016
10:45 AM
State Capitol, Conference Room 325

In consideration of
SENATE CONCURRENT RESOLUTION 9
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA,
KOOLAUPOKO, OAHU, FOR THE USE, CONSTRUCTION, MAINTENANCE AND
REPAIR OF THE EXISTING BOAT DOCK CONSTRUCTED THEREON

Senate Concurrent Resolution 9 requests the authorization to issue a term, non-exclusive easement covering 456 square feet¹, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 4-6-003:seaward of 007, at Heeia, Koolauapoko, Oahu for the use, construction, maintenance and repair of the existing boat dock 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, HRK Waipahu, LLC, has an existing easement for the boat dock. The owner worked with the Department regarding the expansion of his existing boat dock easement. The additional area is located on State submerged lands 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 December 9, 2010, under agenda item D-10, the Board approved the issuance of an amendment to the existing easement for the additional area stated above.

¹ Area to be surveyed and finalized.

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.