

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

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

**Tuesday, March 22, 2017  
9:35 AM  
State Capitol, Conference Room 312**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 152  
AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-  
EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS  
AT WAIPOULI, KAWAIHAU, KAUAI, FOR A PORTION OF A SEAWALL AND FOR  
THE USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS  
CONSTRUCTED THEREON**

House Concurrent Resolution 152 requests the authorization to issue a fifty five year term, non-exclusive easement covering a portion of state submerged lands seaward of the property identified as Tax Map Key (4) 4-3-009:001, Waipouli, Kawaihau, Kauai for the maintenance and repair of the existing seawall and for the use, repair and maintenance of the existing improvements thereon. **The Department of Land and Natural Resources (Department) supports this concurrent measure.**

The prior owners of the abutting property worked with the Department to obtain approval of a 55-year non-exclusive easement for seawall purposes consisting of an area of 852 square feet, more or less, from the Board of Land and Natural Resources (Board) at its meeting May 9, 2014, under agenda item D-1. As required by Section 171-53, Hawaii Revised Statutes, the Board may lease submerged lands "with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution". An independent appraisal obtained by the Department determined the fair market value of the easement at \$25,200.00, and consideration for the easement was paid to the Department.

Thank you for the opportunity to comment on this measure.

**SUZANNE D. CASE**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**KEKOA KALUHIWA**  
FIRST DEPUTY

**JEFFREY T. PEARSON, P.E.**  
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

**From:** mailinglist@capitol.hawaii.gov  
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**HCR152**

Submitted on: 3/18/2017

Testimony for OMH/WAL on Mar 21, 2017 09:35AM in Conference Room 312

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Javier Mendez-Alvarez	Individual	Oppose	No

Comments:

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