

DAVID Y. IGE  
GOVERNOR OF HAWAII



**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**

**Tuesday, March 21, 2017  
9:35 AM  
State Capitol, Conference Room 312**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 26  
AUTHORIZING THE AMENDMENT OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAILUA,  
KOOLAUPOKO, OAHU, FOR THE SEAWALL AND BOAT RAMP, AND FOR THE  
USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS  
CONSTRUCTED THEREON**

House Concurrent Resolution 26 requests the authorization of the amendment of a term, non-exclusive easement regarding additional 328 square feet, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 4-3-005:seaward of 094, at Kailua, Koolauapoko, Oahu for the use, repair, and maintenance of the existing seawall and boat ramp 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, Elizabeth Rice Grossman Family Trust, worked with the Department and obtained a 55-year non-exclusive easement for seawall and boat ramp purposes in 2006. Subsequent to the adoption of a certified shoreline in 2016, an additional 328 square feet was 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 27, 2016, under agenda item D-13, the Board approved to amend the term, non-

**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

exclusive easement by incorporating the additional encroachment area, subject to a payment of the fair market value of the additional area, which was determined as \$33,584.

Thank you for the opportunity to comment on this measure.

**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, March 18, 2017 1:00 PM  
**To:** omhtestimony  
**Cc:** mendezj@hawaii.edu  
**Subject:** \*Submitted testimony for HCR26 on Mar 21, 2017 09:35AM\*

**HCR26**

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:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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