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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 AND LAND**

**Thursday, April 13, 2017
11:40 AM
State Capitol, Conference Room 325**

**In consideration of
SENATE CONCURRENT RESOLUTION 43
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE,
KOOLAUPOKO, OAHU, FOR THE PIER, AND FOR USE, REPAIR, AND
MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON**

Senate Concurrent Resolution 43 requests the authorization to issue a term, non-exclusive easement covering 284 square feet, more or less, portion of state submerged lands identified as tax map key: (1) 4-5-058:121, at Kaneohe, Koolauapoko, 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 concurrent resolution.**

The current owner of the abutting property, Martha K. Bush, worked with the Department to convert the existing pier revocable permit to a long-term easement. The pier is located on state 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, 2016, under agenda item D-20, 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. After the previous committee heard this concurrent resolution, a survey was conducted that

showed the easement area to be 538 square feet, more or less. The Department request to amend concurrent resolution to reflect the correct easement area of 538 square feet, more or less.

Thank you for the opportunity to comment on this measure.