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GOVERNOR
OF HAWAII



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

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LAND
STATE PARKS

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

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**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the Senate Committee on
WAYS AND MEANS**

**Thursday, March 30, 2017
1:30 PM
State Capitol, Conference Room 211**

**In consideration of
SENATE CONCURRENT RESOLUTION 46, SENATE DRAFT 1
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO,
KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE
EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING
IMPROVEMENTS CONSTRUCTED THEREON**

Senate Concurrent Resolution 46, Senate Draft 1 requests the authorization to issue a term, non-exclusive easement covering 716 square feet, more or less, portion of state submerged lands identified as tax map key: (1) 4-1-001: seaward of 011, at Waimanalo, Koolaupoko, 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, Michael Muller, 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 January 13, 2017, under agenda item D-14, 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.

Thank you for the opportunity to comment on this measure.