

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
SUZANNE D. CASE  
Chairperson**

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

**Monday, April 3, 2017  
1:35 PM  
State Capitol, Conference Room 211**

**In consideration of  
SENATE CONCURRENT RESOLUTION 79, SENATE DRAFT 1  
AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-  
EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS  
AT WAIPOULI, KAWAIHAU, KAUAI, FOR THE MAINTENANCE AND REPAIR OF  
THE EXISTING SEAWALL AND FOR THE USE, REPAIR, AND MAINTENANCE OF  
THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON**

Senate Concurrent Resolution 79, Senate Draft 1 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 at its meeting May 9, 2014, under agenda item D-1, as subsequently amended at a meeting on October 24, 2014, under item D-2. 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". 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.