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GOVERNOR OF HAWAII



SUZANNE D. CASE
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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 Senate Committee on
WATER AND LAND

Friday, March 24, 2017
2:50 PM
State Capitol, Conference Room 224

In consideration of
SENATE CONCURRENT RESOLUTION 79
**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**

Senate Concurrent Resolution 79 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 resolution.**

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.