

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 Senate Committee on  
WAYS AND MEANS**

**Tuesday, March 13, 2018  
10:15 AM**

**State Capitol, Conference Room 211**

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

**ROBERT K. MASUDA**  
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

**LATE**

**In consideration of  
SENATE CONCURRENT RESOLUTION 18, SENATE DRAFT 1  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI,  
HONOLULU, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING  
PIER AND SEAWALL, AND FOR USE, REPAIR, AND MAINTENANCE OF THE  
EXISTING IMPROVEMENTS CONSTRUCTED THEREON**

Senate Concurrent Resolution 18, Senate Draft 1 requests the authorization to issue a term, non-exclusive easement covering 331 square feet, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 3-6-001:seaward of 036, at Waikiki, Honolulu, Oahu for the use, repair, and maintenance of the existing pier and seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (Department) supports this Administration concurrent resolution.**

The current owner of the abutting property, Jeffrey Weldon, trustee, worked with the Department to resolve the encroachment. The improvements were 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 March 11, 2016, under agenda item D-8, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

The State was paid \$40,000 which is the fair market value of the easement as determined by an independent appraisal.

Thank you for the opportunity to comment on this measure.