

DAVID Y. IGE
GOVERNOR OF HAWAII



**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
WATER AND LAND**

**Wednesday, February 21, 2018
2:45 PM
State Capitol, Conference Room 224**

**In consideration of
SENATE CONCURRENT RESOLUTION 18
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 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.

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

SCR-18

Submitted on: 2/17/2018 10:38:20 PM

Testimony for WTL on 2/21/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Testifying for Ho'omanapono Political Action Committee (HPAC)	Oppose	Yes

Comments:

We STRONGLY OPPOSE this bill. The SCR is vague & conclusory, and may in fact violate the FUE PROCESS RIGHTS of native Hawaiians as beneficiaries of revenues from "Ceded" lands. NO WHERE IN THE SCR IS OHA mentioned. Mahalo.