

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**

**Wednesday, April 4, 2018
4:00 PM
State Capitol, Conference Room 211**

**In consideration of
SENATE CONCURRENT RESOLUTION 80, SENATE DRAFT 1
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT SPRECKELSVILLE,
WAILUKU, MAUI FOR THE EXISTING SEAWALL AND BOULDER REVETMENT
AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS
CONSTRUCTED THEREON**

Senate Concurrent Resolution 80, Senate Draft 1 proposes to authorize the issuance of a term, non-exclusive easement covering a portion of State submerged lands at Spreckelsville, Wailuku, Maui, for the existing seawall and boulder revetment and for use, repair, and maintenance of the existing improvements constructed thereon. **The Department of Land and Natural Resources (Department) supports this concurrent resolution.**

The current owner of the abutting property, Seaview 2004, Inc., worked with the Department to resolve the encroachments. The encroachments that were located seaward of the subject property on State submerged land. As required by Section 171-53, Hawaii Revised Statutes, 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 September 22, 2017, under agenda item D-7, the Board approved the issuance of a term, non-exclusive easement for the purposes stated above. The applicant shall pay the State the fair market value of the additional easement area 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.

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
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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS