

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**

**Monday, April 1, 2019  
10:20 AM  
State Capitol, Conference Room 211**

**In consideration of  
SENATE CONCURRENT RESOLUTION 16  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE,  
KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND EAVE, AND  
FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS  
CONSTRUCTED THEREON**

Senate Concurrent Resolution 16 requests the authorization to issue a term, non-exclusive easement covering 538 square feet, more or less, portion of state submerged lands identified as tax map key: (1) 4-5-058:121, at Kaneohe, Koolaupoko, Oahu for the use, repair, and maintenance of the existing pier, seawall, and eave constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (“Department”) strongly supports this Administration measure.**

The current owner (grantee) of the abutting property, Martha K. Bush, worked with the Department to convert the existing pier revocable permit to a long-term easement for the pier, seawall, and eave. 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". The Department notes that during the 2017 Legislative session HCR 78, HD1 SD1, was adopted for the pier purpose. Subsequently, on June 8, 2018, under agenda item D-8, the Board amended its prior action in December 2016 to increase the area to 538 square feet and to add “eave and seawall” as part of the character of use.

The grantee has paid the State the fair market value of the easement, in the amount of \$25,900, as determined by an independent appraisal for the use of public lands.

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

**M. KALEO MANUEL**  
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