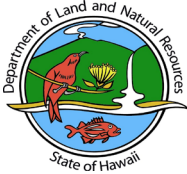


DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
SUZANNE D. CASE
Chairperson**

**Before the House Committee on
WATER, LAND, & HAWAIIAN AFFAIRS**

**Monday, June 29, 2020
11:00 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 32
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA
HOMESTEADS AND BEACH LOTS, KIHEI, MAUI, FOR THE EXISTING SEAWALL
AND ROCK REVETMENT, AND FOR USE, REPAIR, AND MAINTENANCE OF THE
EXISTING IMPROVEMENTS CONSTRUCTED THEREON**

House Concurrent Resolution 32 requests the authorization to issue a term, non-exclusive easement covering 1,260 square feet, more or less, portion of state submerged lands identified as tax map key: (2) 3-9-010:seaward of 006, at Waiohuli-Keokea Homesteads and Beach Lots, Kihei, Maui, for the use, repair, and maintenance of the existing seawall and rock revetment 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 owners of the abutting property, Wesley John Hickey and Diane Marie Hickey, 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 July 11, 2014, under agenda item D-3, the Board approved the issuance of a 55-year term, non-exclusive easement for purpose stated above.

The grantee has paid the State the fair market value of the easement, in the amount of \$71,100, as consideration for the use of public lands 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

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