

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
WATER AND LAND**

**Friday, June 26, 2020
12:30 PM
State Capitol, Conference Room 229**

**In consideration of
SENATE CONCURRENT RESOLUTION 28
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO,
KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND
FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS
CONSTRUCTED THEREON**

Senate Concurrent Resolution 28 requests the authorization to issue a term, non-exclusive easement covering 2,825 square feet, more or less, portion of state submerged lands identified as tax map key: (1) 4-1-001:seaward of 011, at Waimanalo, Koolauapoko, Oahu for the use, repair, and maintenance of the existing pier, seawall, and steps 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 (grantee) of the abutting property, C. Michael Muller, worked with the Department to convert the existing pier revocable permit to a long-term easement for the pier, seawall, and steps. 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 House Concurrent Resolution 27, Senate Draft 1, was adopted for the pier purpose. Subsequently, on April 12, 2019, under agenda item D-8, the Board amended its prior action in January 2017 to increase the area to 2,818 square feet, subject to the review and approval by the Department of Accounting and General Services' Survey Division, and to add “seawall and steps” as part of the character of use.

The grantee shall pay the State the fair market value of the easement, 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