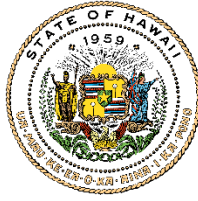


JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



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DEPARTMENT OF LAND AND NATURAL RESOURCES
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CONSERVATION AND RESOURCES
ENFORCEMENT
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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

**Testimony of
DAWN N.S. CHANG
Chairperson**

**Before the House Committee on
WATER & LAND**

**Thursday, April 10, 2025
9:30 AM**

State Capitol, Conference Room 411, Via Videoconference

**In consideration of
SENATE CONCURRENT RESOLUTION 7
AUTHORIZING THE ISSUANCE OF A TWENTY-FIVE YEAR TERM,
NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT LAIE, KOOLAULO, OAHU, FOR A
ROCK REVETMENT THAT INCLUDES STAIRS, AND FOR USE, REPAIR, AND
MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON.**

Senate Concurrent Resolution 7 is an Administration measure that requests Legislative approval for a twenty-five-year term, non-exclusive easement covering approximately seven-hundred-ten square feet of State submerged lands located seaward of the property identified as Tax Map Key: (1) 5-5-002:032, at Laie, Koolauloa, Oahu, for a rock revetment and included stairs at the site. **The Department of Land and Natural Resources (Department) supports this Concurrent Resolution.**

The structure subject to this measure consists of a rock revetment that includes wooden stairs located on State shoreline lands. The revetment was said to be originally constructed by a prior owner of the abutting property in 1962 or 1963, prior to the enactment of statutes and rules that regulate the placement of structures on the shoreline.

The owner of the abutting private property applied for a certified shoreline in 2023 and the encroachment onto State shoreline land was discovered at that time. At its meeting on March 8, 2024, under Agenda Item D-2, the Board of Land and Natural Resources (Board) approved the issuance of a non-exclusive easement to resolve the encroachment. The terms of the easement disposition approved by the Board include payment of monthly rent, provision of liability

insurance, and, upon approval of the Legislature and the Governor, payment of the appraised value of the twenty-five-year, non-exclusive easement.

The Office of Conservation and Coastal Lands (OCCL) determined that the removal of the seawall would not improve beach resources and could cause property damage without concurrent removal of similar revetments on the neighboring properties. OCCL further found that there is poor lateral beach access at this section of the coastline, removal of the revetment would not improve beach resources, and removal would have minimal benefits to beach formation since abutting private properties are also armored. The closest beach access points are located approximately one-half mile in each direction.

Pursuant to the Board's approval, the property owners are paying monthly rent in the amount of \$66.00 for the proposed easement area and are providing liability insurance. The property owners have also posted a removal bond in the amount of \$34,314 to insure the State against the cost of removing the encroachment in the event that the Legislature and the Governor do not approve the issuance of the requested easement. If the Legislature and the Governor approve the requested easement, the property owners will pay for an appraisal of the fair market value of the easement and then purchase the easement for the appraised fair market price.

Mahalo for the opportunity to testify in support of this measure.