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GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



Testimony of
WILLIAM J. AILA, JR
Chairperson

Before the Senate Committee on
WAYS AND MEANS

Tuesday, April 1, 2014
9:00 AM
State Capitol, Conference Room 211

In consideration of
SENATE CONCURRENT RESOLUTION 24
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE,
KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR
OF THE EXISTING SEAWALL

Senate Concurrent Resolution 24 requests the authorization to issue a term, non-exclusive easement covering 55 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-4-018:seaward of 069, at Kaneohe, Koolauapoko, Oahu for maintenance and repair of existing seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources ("Department") supports this concurrent resolution.

The current owner of the abutting property, Yamashiro Investments, worked with the Department to resolve the encroachment. The seawall was 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 December 13, 2002, under agenda item D-9, the Board approved the issuance of a term, non-exclusive easement for seawall purposes.

The Department hired the appraisal firm of Yamaguchi & Yamaguchi, Inc. who determined the one-time payment fair market value of the easement is \$1,250.