

**SCR**

**17**

**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WTLTestimony](#)  
**Cc:** [amel.s.chun@hawaii.gov](mailto:amel.s.chun@hawaii.gov)  
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**SCR17**

Submitted on: 2/6/2015

Testimony for WTL on Feb 9, 2015 15:35PM in Conference Room 224

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carty S. Chang	DLNR	Support	Yes

Comments:

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DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**Testimony of  
CARTY S. CHANG  
Interim Chairperson**

**Before the Senate Committee on  
WATER AND LAND**

**Monday, February 9, 2015  
3:35 PM  
State Capitol, Room 224**

**In consideration of  
SENATE CONCURRENT RESOLUTION 17  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE,  
KOOLAUPOKO, OAHU, FOR THE USE, MAINTENANCE AND REPAIR  
OF THE EXISTING CRM WALL, LANDSCAPING AREA, FLOATING DOCK, AND  
CONCRETE PIER**

Senate Concurrent Resolution 17 requests the authorization to issue a term, non-exclusive easement covering 3,592 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 4-4-022:seaward of 007, at Kaneohe, Koolauapoko, Oahu for use, maintenance and repair of existing CRM wall, landscaping area, floating dock, and concrete pier 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, Clifford and Renee Tillotson, 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-5, the Board approved the issuance of a term, non-exclusive easement for purposes stated above.

The grantee shall pay the State the fair market value of the easement as consideration for the use of public lands. The amount of consideration shall be determined by an independent appraisal.

**CARTY S. CHANG**  
INTERIM CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**DANIEL S. QUINN**  
INTERIM FIRST DEPUTY

**W. ROY HARDY**  
ACTING 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  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS