



**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 Committees on  
OCEAN, MARINE RESOURCES, & HAWAIIAN AFFAIRS  
and  
WATER & LAND**

**Wednesday, March 23, 2016  
10:30 AM  
State Capitol, Conference Room 325**

**In consideration of  
HOUSE CONCURRENT RESOLUTION 28  
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA,  
KOOLAUPOKO, OAHU, FOR THE USE, CONSTRUCTION, MAINTENANCE AND  
REPAIR OF THE EXISTING BOAT DOCK CONSTRUCTED THEREON**

House Concurrent Resolution 28 requests the authorization to issue a term, non-exclusive easement covering 456 square feet<sup>1</sup>, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 4-6-003:seaward of 007, at Heeia, Koolauapoko, Oahu for the use, construction, maintenance and repair of the existing boat dock 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, HRK Waipahu, LLC, has an existing easement for the boat dock. The owner worked with the Department regarding the expansion of his existing boat dock easement. The additional area is located on state submerged lands 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 9, 2010, under agenda item D-10, the Board approved the issuance of an amendment to the existing easement for the additional area stated above.

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<sup>1</sup> Area to be surveyed and finalized.

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.