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Subject: *Submitted testimony for HCR15 on Feb 11, 2013 08:30AM*

HCR15

Submitted on: 2/9/2013

Testimony for WAL/OMH on Feb 11, 2013 08:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments:

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NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621
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**Testimony of
WILLIAM J. AILA, JR
Chairperson**

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

**Monday, February 11, 2013
8:30 AM
State Capitol, Conference Room 325**

**In consideration of
HOUSE CONCURRENT RESOLUTION 15
AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAPAHULU.
HONOLULU, OAHU, FOR SEAWALL PURPOSES**

House Concurrent Resolution 15 requests the authorization to issue a perpetual, non-exclusive easement covering 125 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key: (1) 3-1-038: seaward of 042, at Kapahulu, Honolulu, Oahu for maintenance and repair of existing seawall and improvements constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). The Department of Land and Natural Resources (Department) supports this concurrent resolution.

The owner of the abutting property, Dr. Richard Kelley, is in the process of purchasing a remnant, which is a portion of Old Diamond Head Road from the State. During the survey of the remnant area, the Department of Accounting and General Services - Survey Division determined that 125 square feet 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 13, 2012, under agenda item D-10, the Board approved the issuance of a new 55-year term, non-exclusive easement for seawall and steps purposes.

The Department hired the appraisal firm of Medusky & Co., Inc. who determined the one-time payment, fair market value of the easement is \$24,149.

Thank you for the opportunity to testify.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTHER KIA'AINA
FIRST DEPUTY

WILLIAM M. TAM
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