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

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ACTING DEPUTY DIRECTOR - WATER

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FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

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

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

**Friday, April 17, 2015
11:00AM
State Capitol, Room 325**

**In consideration of
SENATE CONCURRENT RESOLUTION 2
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT KAHALUU,
KOOLAUPOKO, OAHU, FOR THE USE, REPAIR, AND MAINTENANCE OF THE
EXISTING SEAWALL**

Senate Concurrent Resolution 2 requests the authorization to issue a term, non-exclusive easement covering 31,266 square feet, more or less, portion of state submerged lands fronting the property identified as tax map key (TMK): (1) 4-7-011: seaward of 001¹, at Kahaluu, Koolaupoko, Oahu for use, repair, and maintenance of existing seawall constructed thereon, pursuant to Section 171-53, Hawaii Revised Statutes (HRS). **The Department of Land and Natural Resources (“Department”) notes that a similar concurrent resolution (Senate Concurrent Resolution 14) was introduced as part of the Administration’s 2015 Legislative Package. As such, the Department supports Senate Concurrent Resolution 2.**

The current owner of the abutting property, Kahaluu Pond, Inc., obtained a 30-year term easement from the Board of Land and Natural Resources (“Board”) commencing from 1984. In view of the expiration date in 2014, the owner requested the Board issue a new 55-year term easement for the same purpose. As required by Section 171-53, HRS, the 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 October 11, 2013, under agenda item

¹ The TMK appeared on page 2 of the resolution should read “seaward of 001”.

D-6, the Board approved the issuance of a term, non-exclusive easement for seawall purposes. In addition, the Board authorized the issuance of a right-of-entry to Kahaluu Pond, Inc. for seawall purposes until the execution of the easement document.

The Department hired the appraisal firm of Appraisal Hawaii, Inc. who determined the one-time payment fair market value of the easement is \$4,060.

Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, April 15, 2015 11:16 PM
To: waltestimony
Cc: worldofaloha@hawaii.rr.com
Subject: Submitted testimony for SCR2 on Apr 17, 2015 11:00AM

SCR2

Submitted on: 4/15/2015

Testimony for WAL/OMH on Apr 17, 2015 11:00AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Wong	World of Aloha	Support	No

Comments: The Kahaluu Fishpond is on the State and National Registers of Historic Sites. In 1971, the state of Hawaii felt that this was one of four fishponds in the state which should be preserved. SCR 2 would help in our preservation efforts. Should any damage to the seawall occur, we would be in a position to restore it in a timely manner.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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