

DAVID Y. IGE
GOVERNOR OF HAWAII



**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 20
AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING PORTION OF STATE SUBMERGED LANDS AT MAKAHA, WAIANAE,
OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL,
AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING
IMPROVEMENTS CONSTRUCTED THEREON**

House Concurrent Resolution 20 requests the authorization to issue a term, non-exclusive easement covering 321 square feet, more or less, on a portion of state submerged lands fronting the property identified as tax map key: (1) 8-4-005: seaward of 002, at Makaha, Waianae, Oahu for the use, repair, and maintenance of the existing seawall 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 owner of the abutting property, West Coast Roofing, Inc., worked with the Department to resolve the encroachment. Subsequent to the adoption of the Senate Concurrent Resolution 105 in May 2013 for an encroaching area of 131 square feet, other portions of the same seawall encroaching on state land at the subject location were exposed pursuant to a subsequent shoreline certification process, and the total encroaching area was then determined to be 321 square feet.

The encroaching areas 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

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
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

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".

The Department requests the Committee's support. Thank you for the opportunity to provide testimony.

Jade McMillen

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 22, 2016 7:17 PM
To: omhtestimony
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for HCR20 on Mar 23, 2016 10:30AM*

HCR20

Submitted on: 3/22/2016

Testimony for OMH/WAL on Mar 23, 2016 10:30AM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

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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Jade McMillen

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HCR20

Submitted on: 3/22/2016

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Submitted By	Organization	Testifier Position	Present at Hearing
De MONT R. D. CONNER	Ho'omana Pono, LLC.	Support	Yes

Comments: We STRONGLY SUPPORT this resolution that will help to make major improvements to Makaha.

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