

STAND. COM. REP. NO.

3121

Honolulu, Hawaii

MAR 30 2012

RE: S.C.R. No. 113

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Water, Land, and Housing, to which was referred S.C.R. No. 113 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES, "

begs leave to report as follows:

The purpose and intent of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as tax map key: (2) 4-4-001:042, at Honokawai, Lahaina on the island of Maui for the use, maintenance, repair, and removal of an existing seawall over, under, and across state-owned land.

No testimony was submitted for this measure.

Your Committee finds that a seawall was constructed in 1965 to provide coastal protection for the property identified as tax map key: (2) 4-4-001:042. It was later determined that a portion of the seawall encumbered 1,484 square feet of state land, with submerged portions. Consequently, in 2010, a final environmental assessment was issued finding no significant impact and the Board of Land and Natural Resources granted a fifty-five year term, non-exclusive easement for seawall purposes.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires prior approval by the Governor and prior

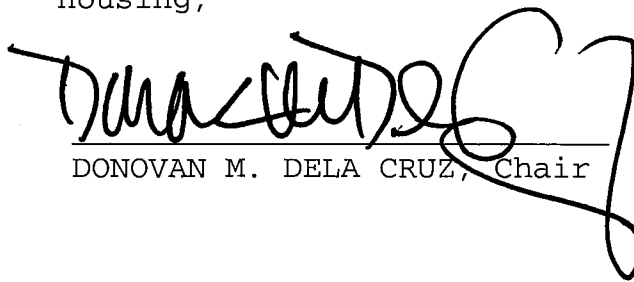
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authorization of the Legislature by concurrent resolution to lease state submerged lands. Accordingly, your Committee finds the passage of this measure necessary.

As affirmed by the record of votes of the members of your Committee on Water, Land, and Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 113 and recommends that it be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Water, Land, and  
Housing,



DONOVAN M. DELA CRUZ, Chair



