

Honolulu, Hawaii

MAR 13 2014

RE: S.C.R. No. 12

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred
S.C.R. No. 12 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
LEASE AND EASEMENT OF CERTAIN SUBMERGED LANDS AT MANELE BAY,
LANA'I, TO LANA'I RESORTS, LLC,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the
issuance of a lease and easement of certain submerged lands at
Manele Bay, Lana'i, To Lana'i Resorts, LLC.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources, Pulama Lana'i,
Manele Harbor Advisor Committee, and Trilogy Excursions.

Your Committee finds that the Legislature authorized the
issuance of a similar lease and easement to Castle & Cooke, Inc.,
who then renamed the corporation to Lana'i Resorts, LLC, which was
subsequently purchased by Larry Ellison. The initial lease and
easement called for a marina to be built, but after the recent
tsunami events it was determined that a marina would not be
feasible in this area and a single floating dock would be more
appropriate. In consideration of today's growth with Lana'i as a
destination point, the Division of Boating and Ocean Recreation
has determined that a floating loading dock is much needed at the
harbor and could be built to withstand another tsunami of moderate
impact. The Department of Land and Natural Resources stated in
testimony that it also appreciates Lana'i Resorts, LLC's,




commitment to maintaining the Manele Small Boat Harbor landscaping and ferry passenger waiting areas.

The Board of Land and Natural Resources voted on November 8, 2013, to authorize the termination of the lease and easements executed with Castle & Cooke Resorts, LLC, and to authorize the issuance of a new fifty-five year lease and easement by way of direct negotiation with Lana'i Resorts, LLC, of certain submerged lands and fast lands at Manele Small Boat Harbor on the island of Lana'i identified as tax map key (2) 4-9-17:06. The new lease will provide for the construction, maintenance, and use of submerged lands for the floating and loading dock and for mooring approved by the Division of Boating and Ocean Recreation.

As affirmed by the record of votes of the members of your Committee on Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 12 and recommends that it be referred to the Committee on Ways and Means.

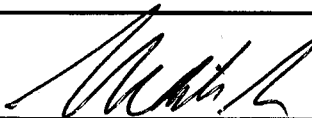
Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


MALAMA SOLOMON, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

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|--|---------------------|----------|-----|----------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SCR 12 | WTL, WAM | 3/10/14 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| SOLOMON, Malama (C) | ✓ | | | |
| GALUTERIA, Brickwood (VC) | | | | ✓ |
| DELA CRUZ, Donovan M. | | | | ✓ |
| IHARA, Jr., Les | | | | ✓ |
| RUDERMAN, Russell E. | ✓ | | | |
| SHIMABUKURO, Maile S.L. | ✓ | | | |
| TANIGUCHI, Brian | ✓ | | | |
| THIELEN, Laura H. | ✓ | | | |
| SLOM, Sam | | | | ✓ |
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| TOTAL | 5 | | | 4 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes