

STAND. COM. REP. NO. **2859**

Honolulu, Hawaii

MAR 13 2014

RE: S.C.R. No. 16

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. 16 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE
SUBMERGED LANDS AT HEEIA, KOOLAUPOKO, OAHU, FOR THE
MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE,
MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS
CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the
issuance of a term, non-exclusive easement covering a portion of
state submerged lands at Heeia, Koolaupoko, Oahu, for the
maintenance and repair of the existing pier, and for use,
maintenance, and repair of the existing improvements constructed
thereon.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources.

Your Committee finds that around 2012, the Department of Land
and Natural Resources worked with the owners, Bernice Bailey,
Frederick Bailey, Jr., and Susan Koehler, to resolve the
encroachment of a pier on state submerged lands fronting the
property identified as Tax Map Key: (1) 4-6-001: seaward of 014,
at Heeia, Koolaupoko, Oahu. On September 10, 2012, the
Department's Office of Conservation and Coastal Lands determined
the non-conforming status of the existing pier in view of the
evidence shown on the aerial photo dated 1949. At its meeting of

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December 14, 2012, under agenda item D-13, the Board of Land and Natural Resources approved a grant of a 55-year non-exclusive easement to resolve the encroachment.

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. 16 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

Bill / Resolution No.:* SCR 16	Committee Referral: WTL, WAM	Date: 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				✓
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