

Honolulu, Hawaii

APR 01 2013

RE: S.R. No. 71

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred S.R. No. 71 entitled:

"SENATE RESOLUTION AUTHORIZING THE ISSUANCE OF A NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS PURSUANT TO SECTION 171-53, HAWAII REVISED STATUTES, RELATING TO RECLAMATION AND DISPOSITION OF SUBMERGED OR RECLAIMED PUBLIC LAND,"

begs leave to report as follows:

The purpose and intent of this measure is authorize the Board of Land and Natural Resources to issue a non-exclusive easement for a fifty-five year term covering that portion of state submerged lands located in Makaha, Waianae, Oahu, for purposes of renovation and construction of a seawall, subject to limitations and conditions to be determined by the Board of Land and Natural Resources.

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

The seaward boundary of the property fronts the ocean, and a seawall straddles the seaward boundary of the property and submerged public land, which is state-owned and identified by tax map key number (1) 8-4-005:002 seaward of parcel 2.

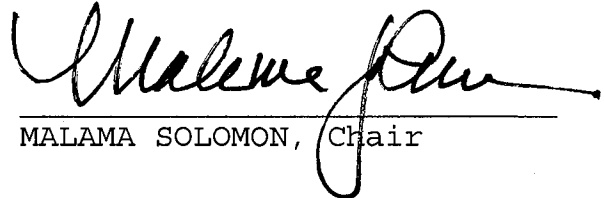
A portion of the seawall encroaches into the state-owned submerged land. The area of the seawall comprises approximately one hundred thirty-one square feet and comprises a portion of the state-owned submerged land. The character of use of the easement



is the right, privilege, and authority to use, maintain, repair, replace, and remove the seawall over, under, and across state-owned land.

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.R. No. 71 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.:* <b>SR 71</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>3/28/13</b>		
<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)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
DELA CRUZ, Donovan M.				✓
IHARA, Jr., Les	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>6</b>			<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

**\*Only one measure per Record of Votes**