

STAND. COM. REP. NO.

1428

Honolulu, Hawaii

APR 06 2017

RE: S.C.R. No. 79
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred
S.C.R. No. 79, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT COVERING A
PORTION OF STATE SUBMERGED LANDS AT WAIPOULI, KAWAIHAU,
KAUAI, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING SEAWALL
AND FOR THE USE, REPAIR, AND MAINTENANCE 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 fifty-five year term, non-exclusive easement
covering a portion of state submerged lands for seawall repairs.

More specifically, this measure authorizes the issuance of a
fifty-five year term, non-exclusive easement covering a portion of
state submerged lands fronting the property identified as Tax Map
Key: (4) 4-3-009, seaward of 001, Waipouli, Kawaihau, Kauai, for
the maintenance and repair of the existing seawall, and for the
use, repair, and maintenance of the existing improvements
constructed thereon.


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



Your Committee finds that, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources may lease submerged lands with the prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution. Your Committee further finds that the Board of Land and Natural Resources approved a grant of a fifty-five year, non-exclusive easement for the maintenance and repair of the existing seawall fronting the property identified in this measure. Your Committee concludes that the easement is necessary for the maintenance and repair of the existing seawall, and for the use, repair, and maintenance of the existing improvements thereon.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 79, S.D. 1, and recommends its adoption.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



