

STAND. COM. REP. NO.

2560

Honolulu, Hawaii

MAR 01 2018

RE: S.C.R. No. 18
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred
S.C.R. No. 18 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR THE EXISTING
PIER AND SEAWALL AND FOR 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 provide
legislative authorization for the issuance of a term,
non-exclusive easement covering a portion of state submerged lands
at Waikiki, Honolulu, Oahu by the Board of Land and Natural
Resources for the existing pier and seawall, and for use, repair,
and maintenance of the existing improvements constructed thereon.

Your Committee received testimony in support of this measure
from the Department of Land and Natural Resources and one
individual. Your Committee received testimony in opposition to
this measure from Ho'omanapono Political Action Committee.

Your Committee finds that an existing pier and portions of a
seawall fronting the property identified as Tax Map Key: (1) 3-6-
001: seaward of 036, Waikiki, Honolulu, Oahu, were discovered to
be encroaching upon state submerged lands. A previous owner of
the abutting property worked with the Department of Land and



Natural Resources to initially resolve the problem in 1989, and the Department subsequently approved a grant of a revocable permit to resolve the encroachment of about 112 square feet. However, an easement survey conducted in 2016 indicated additional areas of encroachment, including a portion of the seawall, which increased the total encroachment area to 331 square feet. Thus, the current owner of the abutting property is working with the Department to resolve the encroachment. The fair market value of the 331 square foot encroachment area was appraised at \$40,000. Since the Board of Land and Natural Resources has met all statutory prerequisites, this measure authorizes the issuance of a term, non-exclusive easement in accordance with section 171-53, Hawaii Revised Statutes.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 18, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 18, S.D. 1.

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



KARL RHOADS, Chair



