

STAND. COM. REP. NO.

1601

Honolulu, Hawaii

MAR 27 2019

RE: S.C.R. No. 164

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred  
S.C.R. No. 164 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT SPRECKELSVILLE, WAILUKU, MAUI, FOR THE  
EXISTING SEAWALL AND BOULDER REVETMENT 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 authorize the  
Board of Land and Natural Resources to amend a term, non-exclusive  
easement covering a portion of state submerged lands located  
seaward of Spreckelsville, Wailuku, Maui, and identified as Tax  
Map Key: (2) 3-8-002:seaward of 001 for the existing seawall and  
boulder revetment and for use, repair, and maintenance of the  
existing improvements constructed thereon pursuant to section  
171-53, Hawaii Revised Statutes.

Your Committee received testimony 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 on September 22,



2017, under agenda item D-7, as subsequently authorized by S.C.R. No. 80, S.D. 1, Regular Session of 2018, the Board of Land and Natural Resources approved a grant of a fifty-five-year term, non-exclusive easement to resolve the encroachments of the seawall identified in this measure. At a meeting on December 14, 2018, under agenda item D-12, the Board of Land and Natural Resources amended the September 22, 2017, action to match the area determined by the Department of Accounting and General Services' Survey Division final easement map. Your Committee notes that the grantee will be required to pay the State the fair market value of the easement. Your Committee concludes that the easement is necessary for the maintenance and repair of the existing seawall and boulder revetment, 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 164 and recommends that it be referred to your Committee on Ways and Means.

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



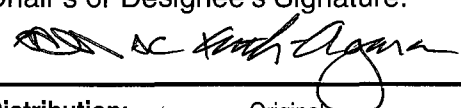
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KAHALE I. KAHLELE, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Water and Land**  
**WTL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SLR 164	WTL, WAM	5/25/19		
<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
KAHELE, Kaiali'i (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
NISHIHARA, Clarence K.				X
RIVIERE, Gil	X			
FEVELLA, Kurt				X
<b>TOTAL</b>	3			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes