

STAND. COM. REP. NO. 1604

Honolulu, Hawaii

MAR 27 2019

RE: S.C.R. No. 183

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. 183 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF
TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE
SUBMERGED LANDS AT WAIOHULI-KEOKEA (KIHEI), WAILUKU, MAUI,
HAWAII, FOR THE USE, MAINTENANCE, AND REPAIR OF THE EXISTING
SEAWALL 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 authorize seven term, non-
exclusive easements covering a portion of state submerged lands
located at Waiohuli-Keokea (Kihei), Wailuku, Maui, Hawaii, and
identified as Tax Map Key: (2) 3-9-11:8 for an existing seawall
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 August 25, 2017,
under agenda item D-9, and on October 12, 2018, under agenda item



D-5, the Board of Land and Natural Resources approved a grant of seven sixty-five-year term, non-exclusive easements to resolve the encroachments of the existing seawall areas identified in this measure. 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 easements are 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 Water and Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 183 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,



KAIAMA I LAHELE, Chair

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>SCR 183</i>	<i>WTL, WAM</i>	<i>3/25/19</i>		
<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
TOTAL	<i>3</i>			<i>2</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<i>DC Keith Agaran</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes