

Honolulu, Hawaii
JUN 30, 2020

RE: H.C.R. No. 31

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water, Land, & Hawaiian Affairs, to which was referred H.C.R. No. 31 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS, KIHEI, MAUI, FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose of this measure is to authorize the issuance of a term, non-exclusive agreement covering a portion of state submerged lands at Waiohuli-Keokea Homesteads, Kihei, Maui, for an existing seawall, rock revetment, and concrete steps, and for use, repair, and maintenance of existing improvements constructed thereon.

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

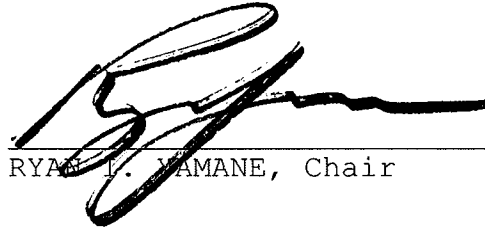
Your Committee finds that a portion of an existing seawall, rock revetment, and concrete steps fronting private property located in Waiohuli-Keokea Homesteads was built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the property owners to resolve the issue by granting a 55-year non-exclusive easement for



the encroaching seawall, rock revetment, and concrete steps, and the grantees have agreed to pay the fair market value of the easement. However, the Legislature must grant prior authorization before state lands can be leased. This measure authorizes the granting of a term, non-exclusive agreement for the portion of identified state submerged lands in Waiohuli-Keokea Homesteads that have been encroached upon by the seawall, rock revetment, and concrete steps.

As affirmed by the record of votes of the members of your Committee on Water, Land, & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 31 and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Water, Land, &
Hawaiian Affairs,



RYAN L. YAMANE, Chair



Record of Votes of the Committee on Water, Land, & Hawaiian Affairs

| Bill/Resolution No.: <u>HCR 31</u> | Committee Referral: <u>WLH, FIN</u> | Date: <u>06/29/20</u> | | |
|---|-------------------------------------|-----------------------|------|---------|
| <input type="checkbox"/> The committee is reconsidering its previous decision on the measure. | | | | |
| The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit) | | | | |
| WLH Members | Ayes | Ayes (WR) | Nays | Excused |
| 1. YAMANE, Ryan I. (C) | ✓ | | | |
| 2. TODD, Chris (VC) | ✓ | | | |
| 3. HAR, Sharon E. | | | | ✓ |
| 4. LOWEN, Nicole E. | | | | ✓ |
| 5. TARNAS, David A. | ✓ | | | |
| 6. WILDBERGER, Tina | | | ✓ | |
| 7. WARD, Gene | | | | ✓ |
| TOTAL (7) | 3 | 0 | 1 | 3 |
| The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s) | | | | |
| Vice Chair's or designee's signature: _____ | | | | |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO | | | | |