

STAND. COM. REP. NO. 3732

Honolulu, Hawaii

JUL 0 1 2020

RE: S.C.R. No. 27

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred  
S.C.R. No. 27 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT KAALAWAI, HONOLULU, OAHU, FOR THE EXISTING  
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 authorize the  
issuance of a term, non-exclusive easement covering a portion of  
state submerged lands fronting the property identified as Tax Map  
Key: (1) 3-1-041:seaward of 025, Kaalawai, Honolulu, Oahu, for the  
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 April 13, 2018,  
under agenda item D-7, the Board of Land and Natural Resources  
approved a grant of a fifty-five-year non-exclusive easement to



resolve the encroachment of the seawall area identified in this measure. Your Committee notes that the grantee has paid 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 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. 27 and recommends that it be referred to your Committee on Judiciary.

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



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KAIA'I KAHELE, 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 27</i>	<i>WTL, JDC</i>	<i>6/26/20</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)	<i>X</i>			
KEITH-AGARAN, Gilbert S.C. (VC)				<i>X</i>
NISHIHARA, Clarence K.	<i>X</i>			
RIVIERE, Gil	<i>X</i>			
FEVELLA, Kurt	<i>X</i>			
<b>TOTAL</b>	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em; margin-top: 10px;"><i>[Signature]</i></div>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes