

STAND. COM. REP. NO.

3815

Honolulu, Hawaii

JUL 08 2020

RE: S.C.R. No. 33

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. 33 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF
TERM, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS OF STATE
SUBMERGED LANDS AT WAIOHULI-KEOKEA, WAILUKU, MAUI, FOR THE
EXISTING SEAWALL, AND FOR THE USE, MAINTENANCE, AND REPAIR 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: (2) 3-9-011:seaward of 008, Waiohuli-Keokea, Wailuku, Maui,
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 August 25, 2017,
under agenda item D-9 as amended, and October 12, 2018, under
agenda item D-5, the Board of Land and Natural Resources approved



a grant of a sixty-five year, non-exclusive easement to resolve the encroachment of the existing seawall 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 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. 33 and recommends its adoption.

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



KAIALII KAHELE, Chair



