

STAND. COM. REP. NO.

1586

Honolulu, Hawaii

MAR 31 , 2021

RE: H.C.R. No. 166
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.C.R. No. 166, H.D. 1, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION OF A GROIN AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Kapaa, Kawaihau, Kauai, for the construction of a sandbag groin and for use, repair, and maintenance of the improvements constructed thereon.

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

Your Committee finds that the removal of a concrete groin has resulted in severe beach erosion near the identified property at Kapaa, Kawaihau, Kauai. A temporary solution was devised to install a temporary emergency erosion control structure. However, until a long-term solution is devised, the Board of Land and Natural Resources has approved the development of a temporary

2021-2860 HCR166 HD2 HSCR HMSO



1586

sandbag groin to help slow the erosion. This measure authorizes the granting of a term, non-exclusive easement, as required by state law, for the construction of a sandbag groin and for the use, repair, and maintenance of the improvements constructed thereon.

Your Committee has amended this measure by:

- (1) Correcting references to the Tax Map Key designation of the property at issue to (4) 4-3-009:seaward of 041;
- (2) Adding language detailing further action taken by the Board of Land and Natural Resources on March 25, 2021;
- (3) Making technical amendments to its title to read, "AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION OF A SANDBAG GROIN AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON."; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

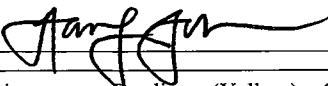
As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 166, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 166, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,


AARON LING JOHANSON, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <i>HCR 166 HD1</i>	Committee Referral: <i>WAL, CPC</i>	Date: <i>3/29/21</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)	✓			
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.	✓			
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru	✓			
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.				✓
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren	✓			
TOTAL (11)	<i>10</i>	<i>0</i>	<i>0</i>	<i>1</i>
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				