

STAND. COM. REP. NO. 965

Honolulu, Hawaii  
MAR 16, 2021

RE: H.C.R. No. 17  
H.D. 1

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

Sir:

Your Committee on Water & Land, to which was referred H.C.R. No. 17 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND 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 Board of Land and Natural Resources to issue a term, non-exclusive easement covering a portion of state submerged lands at Waimanalo, Koolaupoko, Oahu, for the existing pier, seawall, and steps constructed on those state submerged lands, and for the use, repair, and maintenance of the existing pier, seawall, and steps.

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

Your Committee finds that the existing pier abutting private property located in Waimanalo, Koolaupoko, Oahu, and a portion of the existing seawall and steps fronting the same property, were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the

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property owner to resolve the encroachments of the existing pier, seawall, and steps by granting a 55-year non-exclusive easement for the pier, seawall, and steps, and the grantee has paid the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Waimanalo, Koolaupoko, Oahu, that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of those improvements.

Your Committee has amended this measure by including references to Tax Map Key number (1) 4-1-001:013 as appropriate.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 17, H.D. 1.

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



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DAVID A. TARNAS, Chair



