STAND. COM. REP. NO. 1724

Honolulu, Hawaii

APR 1 3 2021

RE: H.C.R. No. 18

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.C.R. No. 18 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KAMAOLE, KULA, MAUI, FOR THE EXISTING RUBBLE ROCK REVETMENT, ROCK WALL, AND TWO CONCRETE STAIRWAYS, AND FOR USE, MAINTENANCE, REPAIR, REPLACEMENT, AND REMOVAL OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose and intent 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 Kamaole, Kula, Maui, for the existing rubble rock revetment, rock wall, and two concrete stairways, and for the use, repair, and maintenance of the 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, pursuant to section 171-53, Hawaii Revised Statutes, the Board of Land and Natural Resources (BLNR) 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 March 10, 2011, under agenda item D-4, the BLNR, subject to conditions, approved a grant of a fifty-five-year non-exclusive easement to resolve the

encroachment of roughly half of the 18,668 square feet of state submerged lands fronting the property identified as Tax Map Key: (2) 3-9-005:001, Kamaole, Kula, Maui. Your Committee concludes that the easement is necessary for the use, maintenance, repair, replacement, and removal of the existing rubble rock revetment, rock wall, and two concrete stairways.

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 H.C.R. No. 18, and recommends that it be referred to your Committee on Ways and Means.

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

LORRAINE R. INOUYE, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:* UCR 18	Committee Referral: Date: 4/7/21		-1		
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)		X			
KEITH-AGARAN, Gilbert S.C. (VC)		<u> </u>			
MISALUCHA, Bennette E.		<u>X</u>			
RIVIERE, Gil		X			
FEVELLA, Kurt		X			
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TOTAL		5			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original File with Committee Re	Yellow eport Clerk's Office		Pink Drafting Agency	Goldenrod ency Committee File Copy	

^{*}Only one measure per Record of Votes