

STAND. COM. REP. NO.

1084

Honolulu, Hawaii

MAR 23 2021

RE: S.C.R. No. 113  
S.D. 1

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  
S.C.R. No. 113 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE AMENDMENT OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION  
OF A GROIN AND FOR SMALL-SCALE BEACH RESTORATION, AND FOR  
USE, REPAIR, AND MAINTENANCE OF THE 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 for the portion of  
state submerged lands fronting the property identified as Tax Map  
Key: (4) 4-3-009: seaward of 050, Kapaa, Kawaihau, Kauai for  
construction of a sand groin, 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 and eight  
individuals.

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 at its meeting on



February 14, 2021, under agenda item D-3, BLNR, subject to certain conditions, approved the issuance of a term, non-exclusive easement to the Association of Unit Owners of Kauai Kailani for the replacement of the existing sandbag barrier with a sandbag groin. Your Committee concludes that the easement is necessary for the construction of the sandbag groin to slow littoral drift and the erosion of Kuhio Beach in Kapaa, Kauai.

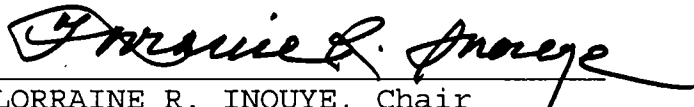
Your Committee notes for your Committee on Ways and Means that, following testimony and discussion, at its meeting scheduled for March 25, 2021, under agenda item D-3, BLNR plans to amend its prior approval of a term, non-exclusive easement of approximately 960 square feet in favor of a twenty-five year term, non-exclusive easement of 1,764 square feet, subject to certain conditions.

Your Committee has amended this measure by:

- (1) Clarifying its title; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 113, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 113, S.D. 1.

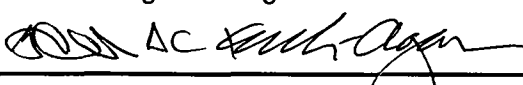
Respectfully submitted on  
behalf of the members of the  
Committee on Water and Land,

  
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.:* <b>SCR 113</b>	Committee Referral: <b>WTL, WAM</b>	Date: <b>3/22/21</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
MISALUCHA, Bennette E.	X			
RIVIERE, Gil	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>5</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<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