

STAND. COM. REP. NO.

1784

Honolulu, Hawaii

, 2021

APR 08

RE: S.C.R. No. 16

S.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 S.C.R. No. 16, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF TERM, NON-EXCLUSIVE EASEMENTS COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIOHULI-KEOKEA (KIHEI), WAILUKU, MAUI, FOR THE EXISTING SEAWALL, AND FOR USE, MAINTENANCE, AND REPAIR OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose of this measure is to authorize the issuance of term, non-exclusive easements covering a portion of state submerged lands at Waiohuli-Keokea (Kihei), Wailuku, Maui, for the existing seawall, and for use, maintenance, and repair 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 this easement covers improvements that were constructed partially on private land and partially on state-owned land seaward of the recorded boundary and that the shoreline has since migrated landward, thus placing the improvements entirely seaward of the shoreline on submerged land. Your Committee further finds that the area seaward of the parcel is identified as a state beach reserve; however, the land appears

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to be almost consistently underwater, with no beach area remaining. Furthermore, your Committee finds that it also appears that most of the adjacent properties along the coastline have been similarly armored. This measure provides the authorization of the Legislature required by section 171-53, Hawaii Revised Statutes, for the Board of Land and Natural Resources to grant leases of the subject state submerged lands.

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 S.C.R. No. 16, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

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



DAVID A. TARNAS, Chair



