STAND. COM. REP. NO. 1784

Honolulu, Hawaii

, 2021

APR 0 8

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

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 lenses 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,

Dan Camer

DAVID A. TARNAS, Chair

## State of Hawaii House of Representatives The Thirty-first Legislature

HGCR 1784

## Record of Votes of the Committee on Water & Land

Bill/Resolution No.: SCRIU, SD1	Committee Referrals	CPC	Date: 4/0	1/21
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members		es Ayes (W	R) Nays	Excused
1. TARNAS, David A. (C)				
		Series and the series		
2. BRANCO, Patrick Pihana (VC)				Maria National Administration
		CONTRACTOR OF THE PARTY OF THE		
3. GANADEN, Sonny	CALCULATE DE LA CONTRACTOR DE LA CONTRAC			
4. KOBAYASHI, Bertrand	×		an large same an income can	ESLIV DALESCORY AND ESCULO
4. RODATABILI, Bertrand	NAMES OF THE PERSONS			
5. KONG, Sam Satoru	V			
		ALE BELLEVIE		
6. MORIKAWA, Dee	V			
7. OHNO, Takashi	V			Stati Kalimos ia Santa (Halasii
8. McDERMOTT, Bob			r"	
TOTAL (8)	8			
The recommendation is:  Adopted Not Adopted 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				