

Honolulu, Hawaii

APR 04 2023

RE: S.C.R. No. 154

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred
S.C.R. No. 154 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR THE EXISTING
SEAWALL FOOTING, SEAWALL WALKWAY, AND SWIM-STEP LADDER, AND
FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING 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 covering a portion of
state submerged lands identified as: Tax Map Key: (1) 3-1-032:006,
Waikiki, Honolulu, Oahu, for the existing seawall footing, seawall
walkway, and swim-step ladder, and for 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 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 September 9,
2010, under agenda item J-3, the Board of Land and Natural
Resources, subject to conditions, approved a grant of a term, non-



exclusive easement to resolve the encroachment of the seawall footing and seawall walkway and for the construction of a swim-step ladder to provide ocean access on the makai side of the property. On September 15, 2011, the Division of Boating and Ocean Recreation provided a right-of-entry permit to enter into and occupy, construct, use, maintain, and repair portions of two hundred twenty square feet of state-owned land. On February 10, 2017, the Division provided a second right-of-entry permit for the maintenance and repair of the seawall walkway. Your Committee finds that the easement is necessary for the use, repair, and maintenance of the existing improvements.

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. 154 and recommends its adoption.

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


LORRAINE R. INOUE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* SCR 154	Committee Referral: WTL	Date: 3/29/23		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input 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)	✓			
ELEFANTE, Brandon J.C. (VC)	✓			
CHANG, Stanley	✓			
MCKELVEY, Angus L.K.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	∅	∅	∅
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes