

STAND. COM. REP. NO. 1798-24

Honolulu, Hawaii

MAR 27 , 2024

RE: H.C.R. No. 9

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.C.R. No. 9 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT HEEIA, KOOLAUPOKO, OAHU, FOR THE EXISTING DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose of this measure is to authorize the issuance of a perpetual, non-exclusive easement covering a portion of state submerged lands at He'eia, Ko'olaupoko, O'ahu, for the existing drain 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 section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources (Board) to obtain prior authorization from the Legislature and prior approval of the Governor to dispose of state submerged lands. The Board identified portions of the existing drain seaward of the property identified as Tax Map Key: (1) 4-6-003:077, He'eia, Ko'olaupoko, O'ahu, as encroaching upon state submerged lands and on July 8, 2010, approved the issuance of a perpetual, non-

2024-2522 HCR9 HSCR HMSO



exclusive easement to resolve the drain encroachment and on December 13, 2019, approved technical amendments to insert accurate legal references and facilitate the easement documentation process. Your Committee further finds that this measure expresses the requisite legislative approval so that an easement may be issued for the continued use of those 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 H.C.R. No. 9 and recommends that it be referred to your Committee on Finance.

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

L. M.
FOR LINDA ICHIYAMA, Chair



