Honolulu, Hawaii

APR 1 9 2024

RE: H.C.R. No. 22

H.D. 2 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred H.C.R. No. 22, H.D. 2, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR CONSTRUCTION, USE, REPAIR, AND MAINTENANCE OF STEPS,"

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: (1)3-1-039: seaward of 065, Waikiki, Honolulu, Oahu, for the construction, use, repair, and maintenance of concrete steps, 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 one individual.

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 October 13, 2023, the Board of Land and Natural Resources, subject to

conditions, approved a grant of a twenty-five year non-exclusive easement to resolve the encroachment of the seawall identified in this measure. Your Committee concludes that the easement is necessary for the construction, use, repair, and maintenance of the concrete steps.

Your Committee has amended this measure by making a technical, nonsubstantive amendment 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 H.C.R. No. 22, H.D. 2, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 22, H.D. 2, S.D. 1.

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

## The Senate Thirty-Second Legislature State of Hawai'i

## Record of Votes Committee on Water and Land WTL

Bill / Resolution No.:*	Committee Referral:			Date:		
HCR 22, HD2	WIL, WAM			4/11/24		
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members		Aye	Aye (V	/R)	Nay	Excused
INOUYE, Lorraine R. (C)		V				
ELEFANTE, Brandon J.C. (VC)		/			·	·
CHANG, Stanley						
MCKELVEY, Angus L.K.		<b>✓</b>				
FEVELLA, Kurt		<del> </del>				
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TOTAL		4	d		d	/
Recommendation:		•	<u> </u>		Ψ⁄	•
Adopted Not Adopted						
Chair's or Designee's Signature:						
40///						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

<sup>\*</sup>Only one measure per Record of Votes