

STAND. COM. REP. NO.

3875

Honolulu, Hawaii

APR 18 2024

RE: H.C.R. No. 9

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. 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 and intent of this measure is to authorize the
issuance of a perpetual, non-exclusive easement for the portion of
state submerged lands fronting the property identified as tax map
key: (1) 4-6-003:077, Heeia, Koolaupoko, Oahu, for the existing
drain, and the use, repair, and maintenance of existing
improvements constructed thereon, 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 July 8, 2010,
the Board of Land and Natural Resources, subject to conditions,



approved a grant of a perpetual, non-exclusive easement to resolve the encroachment of the drain identified in this measure. Your Committee further finds that on December 13, 2019, the Board approved technical amendments to the 2010 Board approval to insert accurate legal references and to facilitate the easement documentation process. Your Committee concludes that the easement is necessary for the use, repair, and maintenance of the existing drain.

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. 9, 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.:* HCR 9	Committee Referral: WTL, NAM	Date: 4/11/24
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 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	4	0	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes