

STAND. COM. REP. NO.

2861

Honolulu, Hawaii

MAR 13 2014

RE: S.C.R. No. 18

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Water and Land, to which was referred
S.C.R. No. 18 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE
SUBMERGED LANDS AT NIU, HONOLULU, OAHU, FOR THE MAINTENANCE
AND REPAIR OF THE EXISTING SEAWALL AND STEPS, AND FOR USE,
MAINTENANCE, AND REPAIR 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 at Niu, Honolulu, Oahu, for the maintenance
and repair of the existing seawall and steps, 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.

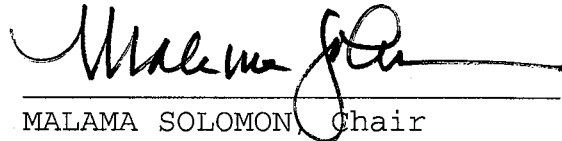
Your Committee finds that around 2003, the Department of
Land and Natural Resources worked with the owners, Mitch and
Barbara D'Olier, to resolve the encroachments of a seawall and
steps on state submerged lands fronting the property identified
as Tax Map Key: (1) 3-7-002: seaward of 040, Niu, Honolulu,
Oahu. On September 17, 2003, the Department's Office of
Conservation and Coastal Lands determined that the seawall and
steps were not conservation district violations and the Office



had no objection to the issuance of an easement to resolve the encroachments. At its meeting of March 1, 2004, under agenda item D-2, the Board of Land and Natural Resources approved a grant of a 55-year non-exclusive easement to resolve the encroachments.

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. 18 and recommends that it be referred to the Committee on Ways and Means.

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


MALAMA SOLOMON, Chair



