

STAND. COM. REP. NO.

3816

Honolulu, Hawaii

JUL 08 2020

RE: S.C.R. No. 34

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred
S.C.R. No. 34 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIOHULI-KEOKEA HOMESTEADS, KIHEI, MAUI,
FOR THE EXISTING SEAWALL, ROCK REVETMENT, AND CONCRETE STEPS,
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
issuance of a term, non-exclusive easement covering a portion of
state submerged lands fronting the property identified as Tax Map
Key: (2) 3-9-012:seaward of 003, Waiohuli-Keokea Homesteads,
Kihei, Maui, for the existing seawall, rock revetment, and
concrete steps and for use, repair, and maintenance of the
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.

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 April 26, 2019,



under agenda item D-6, the Board of Land and Natural Resources approved amending the June 9, 2017 authorization to grant a fifty-five year, non-exclusive easement to resolve the seawall and rock revetment encroachment, by adding a portion of the concrete steps as an additional encroachment in order to resolve the encroachments of the existing seawall, rock revetment, and concrete steps identified in this measure. Your Committee notes that the grantee will be required to pay the State the fair market value of the easement. Your Committee concludes that the easement is necessary for the maintenance and repair of the existing seawall, rock revetment, and concrete steps and for the use, repair, and maintenance of the existing improvements thereon.

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. 34 and recommends its adoption.

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



KAIAMA I. KAELE, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

| | | | | |
|--|---------------------|----------|-----|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SLR 34 | WTL, JDL | 6/26/20 | | |
| <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 |
| KAHELE, Kaiali'i (C) | X | | | |
| KEITH-AGARAN, Gilbert S.C. (VC) | | | | X |
| NISHIHARA, Clarence K. | X | | | |
| RIVIERE, Gil | X | | | |
| FEVELLA, Kurt | X | | | |
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| TOTAL | 4 | 0 | 0 | 1 |
| 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