

STAND. COM. REP. NO. 1736

Honolulu, Hawaii

APR 13 2021

RE: H.C.R. No. 166
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water and Land, to which was referred
H.C.R. No. 166, H.D. 2, entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR CONSTRUCTION
OF A SANDBAG GROIN AND FOR USE, REPAIR, AND MAINTENANCE OF
THE IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the
Board of Land and Natural Resources to issue a term, non-exclusive
easement covering a portion of state submerged lands at Kapaa,
Kawaihau, Kauai, for the construction of a sandbag groin and for
the use, repair, and maintenance of the improvements constructed
thereon.

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 (BLNR)
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 at its meeting on
March 25, 2021, under agenda item D-3, the BLNR, subject to

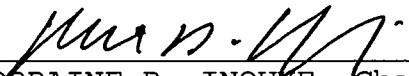


certain conditions, approved the grant of a twenty-five-year, non-exclusive easement of 1,764 square feet for the replacement of an existing sandbag barrier with a sandbag groin. Your Committee concludes that the easement is necessary for the construction of the sandbag groin to slow littoral drift and the erosion of Kuhio Beach in Kapaa, Kauai.

Your Committee has amended this measure by making technical, nonsubstantive amendments 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. 166, H.D. 2, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as H.C.R. No. 166, H.D. 2, S.D. 1.

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

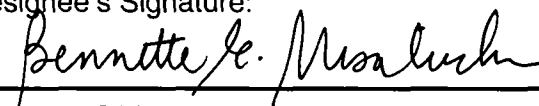


LORRAINE R. INOUE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:* HCR 166, HD 2	Committee Referral: WTL, WAM	Date: 4-9-2021		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
INOUYE, Lorraine R. (C)	/			
KEITH-AGARAN, Gilbert S.C. (VC)	/			
MISALUCHA, Bennette E.	/			
RIVIERE, Gil				/
FEVELLA, Kurt	/			
TOTAL	4			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