

STAND. COM. REP. NO. 1504

Honolulu, Hawaii

**MAR 30 2021**

RE: S.C.R. No. 113  
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred  
S.C.R. No. 113, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT KAPAA, KAWAIHAU, KAUAI, FOR THE  
CONSTRUCTION, MAINTENANCE, AND REPAIR OF A TEMPORARY SAND  
GROIN TO SHELTER KUHIO BEACH FROM NEARSHORE CURRENTS AND SLOW  
LITTORAL DRIFT,"

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 certain portion of state submerged lands in  
Kapaa, Kauai.

Your Committee received written comments in support of this  
measure from the Department of Land and Natural Resources; Oceanit  
Laboratories, Inc.; and two individuals.

Your Committee notes that section 171-53, Hawaii Revised  
Statutes, requires the prior approval of the Governor and prior  
authorization of the Legislature by concurrent resolution to lease  
state submerged lands.

Your Committee finds that authorizing the Board of Land and  
Natural Resources to grant an easement for the portion of state



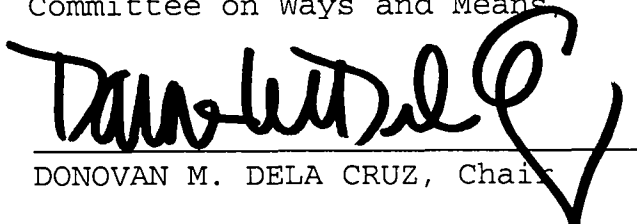
submerged lands fronting the property identified as Tax Map Key: (4) 4-3-009: seaward of 041 will allow for the construction of a sandbag groin to hinder the littoral drift occurring at, and continued erosion of, Kuhio beach in Kapaa, Kauai.

Your Committee has amended this measure by:

- (1) Correcting references to "Tax Map Key: (4) 4-3-009: seaward of 50" and "Tax Map Key: (4) 4-3-009:50" to read "Tax Map Key: (4) 4-3-009: seaward of 41" and "Tax Map Key: (4)4-3-009:041", respectively; and
- (2) Inserting an account of the action taken by the Board of Land and Natural Resources at the March 25, 2021, meeting to approve the issuance of a revocable permit for the subject area.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 113, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 113, S.D. 2.


Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

|   |                     |                |     |         |
|---|---------------------|----------------|-----|---------|
| Bill / Resolution No.:*   | Committee Referral: | Date:          |     |         |
| <i>SCR 113, SD 1</i>  | <i>WTL, WAM</i>     | <i>3/30/21</i> |     |         |
| <input type="checkbox"/> The Committee is reconsidering its previous decision on this measure.<br>If so, then the previous decision was to: _____   |                     |                |     |         |
| The Recommendation is:<br><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 |
| DELA CRUZ, Donovan M. (C)   | X                   |                |     |         |
| KEITH-AGARAN, Gilbert S.C. (VC)   | X                   |                |     |         |
| ENGLISH, J. Kalani  | X                   |                |     |         |
| INOUYE, Lorraine R.   | X                   |                |     |         |
| KANUHA, Dru Mamo  | X                   |                |     |         |
| KIDANI, Michelle N.   | X                   |                |     |         |
| MORIWAKI, Sharon Y.   | X                   |                |     |         |
| SHIMABUKURO, Maile S.L.   | X                   |                |     |         |
| TANIGUCHI, Brian T.   | X                   |                |     |         |
| WAKAI, Glenn  | X                   |                |     |         |
| FEVELLA, Kurt   | X                   |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
|   |                     |                |     |         |
| <b>TOTAL</b>  | <i>11</i>           |                |     |         |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted  |                     |                |     |         |
| Chair's or Designee's Signature:<br>   |                     |                |     |         |
| Distribution:             Original             Yellow             Pink             Goldenrod<br>File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy |                     |                |     |         |

\*Only one measure per Record of Votes