

STAND. COM. REP. NO.

1640

Honolulu, Hawaii

APR 07 , 2021

RE: S.C.R. No. 11

S.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.C.R. No. 11, S.D. 1, entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIMANALO, KOOLAUPOKO, OAHU, FOR THE EXISTING PIER, SEAWALL, AND STEPS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON,"

begs leave to report as follows:

The purpose 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 Waimanalo, Koolauoko, Oahu, for the existing pier, seawall, and steps constructed on those state submerged lands, and for the use, repair, and maintenance of the existing pier, seawall, and steps.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources.

Your Committee finds that the existing pier abutting private property located in Waimanalo, Koolauoko, Oahu, and a portion of the existing seawall and steps fronting the same property, were built on state submerged lands. Your Committee further finds that the Department of Land and Natural Resources has worked with the

2021-3017 SCR11 SD1 HSCR HMSO



property owner to resolve the encroachments of the existing pier, seawall, and steps by granting a 55-year non-exclusive easement for the pier, seawall, and steps, and the grantee is required to pay the fair market value of the easement. However, the Legislature must grant prior authorization before state submerged lands may be leased. This measure authorizes the granting of a term, non-exclusive easement for the portion of identified state submerged lands in Waimanalo, Koolaupoko, Oahu, that have been encroached upon by the pier, seawall, and steps, and for the use, repair, and maintenance of those improvements.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 11, S.D. 1, and recommends that it be referred to your Committee on Consumer Protection & Commerce.

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



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Water & Land

Bill/Resolution No.: <i>SCR 11, SD 1</i>	Committee Referral: <i>WAL, CPC</i>	Date: <i>4/6/21</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
WAL Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. BRANCO, Patrick Pihana (VC)	✓			
3. GANADEN, Sonny	✓			
4. KOBAYASHI, Bertrand	✓			
5. KONG, Sam Satoru	✓			
6. MORIKAWA, Dee	✓			
7. OHNO, Takashi	✓			
8. McDERMOTT, Bob	✓			
TOTAL (8)	8			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u><i>Dan James</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				