

STAND. COM. REP. NO.

1049

Honolulu, Hawaii

MAR 22 2021

RE: S.C.R. No. 11
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
S.C.R. No. 11 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 and intent of this measure is to authorize the
issuance of a term, non-exclusive easement for the portion of
state submerged lands identified as Tax Map Key: (1) 4-1-001:011,
Waimanalo, Koolauapoko, Oahu, for the existing pier, seawall, and
steps, and for the use, repair, and maintenance of 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 (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



January 13, 2017, under agenda item D-14, BLNR, subject to conditions, approved a grant of a fifty-five year non-exclusive easement to resolve the pier encroachment of seven hundred sixteen square feet. Your Committee also finds that at its meeting on April 12, 2019, under agenda item D-8, BLNR, subject to conditions, approved to amend the total encroachment area to 2,818 square feet and to add seawall and steps purposes to the non-exclusive easement approved in 2017. Your Committee concludes that the amendment of the easement is necessary for the use, repair, and maintenance of the existing pier, seawall, and steps. Following testimony and discussion, your Committee notes that this measure does not include all relevant tax map keys in the description of the submerged lands subject to the non-exclusive easement.

Your Committee has amended this measure by adding Tax Map Key (1) 4-1-001:013 where necessary to accurately reflect the subject portion of submerged lands.

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. 11, as amended herein, and recommends that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 11, S.D. 1.

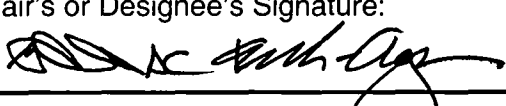
Respectfully submitted on
behalf of the members of the
Committee on Water and Land,


LORRAINE R. INOUYE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Water and Land
WTL

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 11	WTL, WAM	3/10/21		
<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
INOUE, Lorraine R. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
MISALUCHA, Bennette E.	X			
RIVIERE, Gil				X
FEVELLA, Kurt	X			
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