

STAND. COM. REP. NO.

1512

Honolulu, Hawaii

MAR 30 2021

RE: S.C.R. No. 87

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. 87 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A  
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE  
SUBMERGED LANDS AT KUAU, HAMAKUAPOKO, MAUI, FOR THE EXISTING  
SEAWALL 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 the  
Board of Land and Natural Resources to issue a term, non-exclusive  
easement covering a portion of state submerged lands fronting the  
property identified as Tax Map Key: (2) 2-6-010:017, Kuau,  
Hamakuapoko, Maui, for the existing seawall and concrete steps,  
and for use, repair, and maintenance of the existing improvements  
constructed thereon.

Your Committee received written comments in support of this  
measure from the Department of Land and Natural Resources and Sea  
and Believe, LLC.

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 for the  
disposition of state submerged lands.

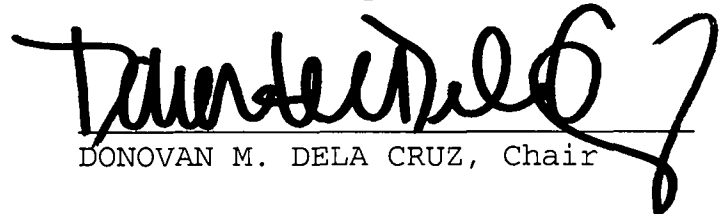


Your Committee finds that portions of the existing seawall and concrete steps fronting the property identified as Tax Map Key: (2) 2-6-010:017, Kuau, Hamakuapoko, Maui, are located on state submerged lands. Your Committee also finds that, on September 11, 2020, under agenda item D-4, the Board of Land and Natural Resources approved a grant of a fifty-five-year non-exclusive easement to resolve the seawall and concrete steps encroachment.

Your Committee further finds that this measure expresses the requisite legislative approval required by section 171-53, Hawaii Revised Statutes, so that an easement may be issued for those state submerged lands.

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. 87 and recommends its adoption.

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

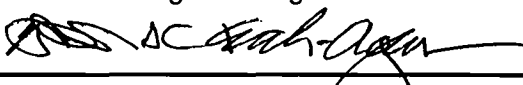


DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
SCR 87	WTL, WAM	3/30/21		
<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 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
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>	11			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes