

STAND. COM. REP. NO.

969

Honolulu, Hawaii

MAR 16 , 2021

RE: H.C.R. No. 21

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 H.C.R.
No. 21 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A
TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT NAPILI 2 AND 3, LAHAINA, MAUI, FOR THE
EXISTING WALKWAY, 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 issuance of a
term, non-exclusive easement covering a portion of state submerged
lands at Napili 2 and 3, Lahaina, Maui, for the existing walkway,
and for use, repair, and maintenance of the existing improvements
constructed thereon.

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

Your Committee finds that the Department of Land and Natural
Resources' Office of Conservation and Coastal Lands has determined
that the walkway and stairs provide safe public access along the
shoreline, which would be diminished if the walkway were removed;
removal of the walkway would have a minimal beneficial impact on
beach resources due to its limited size and the existence of a
major structure situated directly landward of the encroachment;

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and removal of the walkway would have an unknown effect on surrounding parcels. Your Committee further finds that this measure is necessary to provide legislative authorization for the Board of Land and Natural Resources to lease the subject submerged lands.

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 H.C.R. No. 21 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



State of Hawaii
House of Representatives
The Thirty-first Legislature

Record of Votes of the Committee on Water & Land

Bill/Resolution No.:	HCR 21	Committee Referral:	WAL, CPC	Date:	3/11/2021
<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)	7			1	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: <u>David Carnes</u>					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					