

STAND. COM. REP. NO.

1727

Honolulu, Hawaii

, 2023

MAR 30

RE: H.C.R. No. 115

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.C.R. No. 115 entitled:

"HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING BOAT RAMP AND CONCRETE WALL, 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 Kaneohe, Koolaupoko, Oahu, for the existing boat ramp and concrete wall, and for use, repair, and maintenance of the 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 and four individuals.

Your Committee finds that portions of the existing boat ramp and concrete wall fronting the property identified as Tax Map Key: (1) 4-5-047: seaward of 051, Kaneohe, Koolaupoko, Oahu, were placed upon state submerged land. Your Committee further finds that the Department of Land and Natural Resources' Office of

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Conservation and Coastal Lands worked with the private property owner to resolve the encroachments. Your Committee also finds that the Board of Land and Natural Resources has approved the issuance of a twenty-five year non-exclusive easement to resolve the boat ramp and concrete wall encroachments to run with the land and to inure to the benefit of the abutting real property.

Your Committee notes that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources to obtain proper authorization from the Legislature and prior approval of the Governor to dispose of state submerged lands. This measure expresses the requisite legislative approval for disposition of these 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. 115 and recommends that it be referred to your Committee on Finance.

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

FOR


LINDA ICHIYAMA, Chair



Record of Votes of the Committee on Water & Land

Bill/Resolution No.: HCR 115	Committee Referral: WAL, FIN	Date: 3/20/23		
<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. ICHIYAMA, Linda (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. CHUN, Cory M.	✓			
4. GANADEN, Sonny	✓			
5. HASHEM, Mark J.	✓			
6. MORIKAWA, Dee	✓			
7. TAKAYAMA, Gregg	✓			
8. SOUZA, Kanani	✓			
TOTAL (8)	8	0	0	0
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <u></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				