

STAND. COM. REP. NO. 3401

Honolulu, Hawaii

MAR 31 2026

RE: S.C.R. No. 108
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Water, Land, Culture and the Arts, to which was referred S.C.R. No. 108 entitled:

"SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIALAE, HONOLULU, OAHU, FOR EXISTING DRAINAGE PURPOSES, AND FOR USE, OPERATION, 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 perpetual, non-exclusive easement covering a portion of state submerged lands at Waialae, Honolulu, Oahu, for existing drainage purposes and for the use, operation, 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; Resorttrust Hawai'i, LLC; and The Kahala Hotel & Resort.

Your Committee finds that The Kahala Hotel & Resort has been a part of the Waialea community since the property's original development in 1963. Three pipelines still overseen by the property, two lagoon outfalls and one stormwater outfall, were installed from the outset in compliance with contemporaneous laws, but portions of these systems now cross through state submerged



lands and require authorization to sustain their operation and maintenance. Your Committee recognizes that section 171-53, Hawaii Revised Statutes, allows the Board of Land and Natural Resources to lease state submerged lands with prior approval of the Governor and prior authorization of the Legislature by concurrent resolution. This measure will not only support the ongoing operation of The Kahala Hotel & Resort but also promote environmental stewardship, protect the Waialea shoreline, and prevent future flooding or runoff issues from impacting surrounding areas.

Your Committee acknowledges the recommendation provided in testimony by the Department of Land and Natural Resources that the easement authorized by this measure should be clarified to reflect the three easements that are actually in need of authorization. Amendments to this measure are therefore necessary to incorporate this recommendation.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language clarifying that the total easement area comprises three separate easements of approximately 2,983 square feet; 2,190 square feet; and 7,527 square feet, respectively, to be confirmed by the Department of Accounting and General Services' Land Survey Division; and
- (2) Clarifying that the authorization is for the Board of Land and Natural Resources to issue three perpetual, non-exclusive easements covering portions of the subject property identified (1) 3-5-023:041, and a portion of state submerged lands seaward of the subject property, Waialae, Honolulu, Oahu;
- (3) Amending the title accordingly; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Water, Land, Culture and the Arts that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 108, 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. 108, S.D. 1.

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

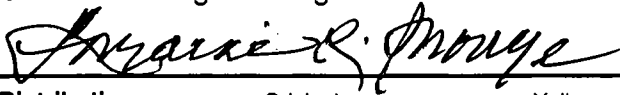


CHRIS LEE, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Water, Land, Culture and the Arts
WLA

Bill / Resolution No.:* SCR 108	Committee Referral: WLA, WAM	Date: 3/30/2026		
<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
LEE, Chris (C)	✓			
INOUYE, Lorraine R. (VC)	✓			
CHANG, Stanley				✓
LAMOSAO, Rachele	✓			
DECORTE, Samantha	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes