

MAR 14 2012

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT,
COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA,
LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES.

1 WHEREAS, the Association of Apartment Owners of Lokelani
2 owns the property located at 3833 Lower Honoapiilani Road,
3 Mahinahina, Lahaina, Maui, further identified by tax map key (2)
4 4-3-006:016; and

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6 WHEREAS, a concrete and rubble rock revetment encumbers an
7 area of 5,597 square feet of state submerged lands identified by
8 tax map key (2) 4-3-006:065; and

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10 WHEREAS, the Office of Conservation and Coastal Lands of
11 the Department of Land and Natural Resources determined that the
12 rubble rock revetment was legally constructed in 1975 to prevent
13 erosion; and

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15 WHEREAS, on February 19, 1975, under agenda item F-7, the
16 Board of Land and Natural Resources approved the issuance of a
17 month-to-month Revocable Permit No. S-5117 to the Association of
18 Apartment Owners of Lokelani for the rubble rock revetment; and

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20 WHEREAS, a request was made to cancel Revocable Permit No.
21 S-5117, to allow for the issuance of a more appropriate non-
22 exclusive term easement for rubble rock revetment purposes; and

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24 WHEREAS, on October 14, 2010, under agenda item D-16, the
25 Board of Land and Natural Resources approved the cancellation of
26 Revocable Permit No. S-5117 and issuance of a fifty-five year
27 term, non-exclusive easement to the Association of Apartment
28 Owners of Lokelani; and

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30 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
31 the prior approval of the Governor and prior authorization of



1 the Legislature by concurrent resolution to lease state
2 submerged lands; now, therefore,

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4 BE IT RESOLVED by the Senate of the Twenty-sixth
5 Legislature of the State of Hawaii, Regular Session of 2012, the
6 House of Representatives concurring, that the Board of Land and
7 Natural Resources is hereby authorized to issue a fifty-five
8 year term, non-exclusive easement covering a portion of state
9 submerged and reclaimed (filled) lands identified as tax map
10 key: (2) 4-3-003:065 at Lahaina, Maui, compromising 5,597 square
11 feet, for maintenance, repair, replacement, and removal of an
12 existing rubble rock revetment over, under, and across state-
13 owned lands; and

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15 BE IT FURTHER RESOLVED that a certified copy of this
16 Concurrent Resolution be transmitted to the Chairperson of the
17 Board of Land and Natural Resources.

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OFFERED BY:

Rosalyn H. Bal

