

MAR 02 2018

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI,
LAHAINA, MAUI, FOR SEAWALL PURPOSES.

1 WHEREAS, the original seawall fronting the Hale Kai
2 Condominium complex was constructed in 1965, prior to the
3 development of the Hale Kai Condominium, and was built to
4 provide necessary coastal protection for the property identified
5 as Tax Map Key: (2) 4-4-001:042; and
6

7 WHEREAS, it has been determined that a portion of the
8 seawall encumbers 2,920 square feet of state land, with
9 submerged portions; and
10

11 WHEREAS, on September 10, 2010, a Final Environmental
12 Assessment for the existing seawall was completed and the Office
13 of Conservation and Coastal Lands issued a Finding of No
14 Significant Impact; and
15

16 WHEREAS, on October 28, 2010, the Board of Land and Natural
17 Resources (BLNR) approved a Conservation District Use
18 Application for the Association of Unit Owners of the Hale Kai
19 Condominium, for the seawall improvements located on state-owned
20 lands, seaward of Tax Map Key: (2) 4-4-001:042; and
21

22 WHEREAS, at a regular meeting of the Board of Land and
23 Natural Resources held on August 12, 2011 (agenda item D-2)
24 (initial approval of easement), and subsequent meetings held on
25 June 27, 2014 (agenda item D-11), November 14, 2014 (agenda item
26 D-18), and October 14, 2016 (agenda item D-8) (to amend the
27 easement due to subsequent shoreline surveys), the BLNR has
28 granted a fifty-five year term, non-exclusive easement totaling
29 2,920 square feet to the Association of Unit Owners of Hale Kai
30 Condominium for seawall purposes, subject to certain terms and
31 conditions; and
32



S.C.R. NO. 49

1 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
2 the prior approval of the Governor and prior authorization of
3 the Legislature by concurrent resolution to lease state
4 submerged lands; now, therefore,
5

6 BE IT RESOLVED by the Senate of the Twenty-ninth
7 Legislature of the State of Hawaii, Regular Session of 2018, the
8 House of Representatives concurring, that the Board of Land and
9 Natural Resources is authorized to issue a term, non-exclusive
10 easement covering a 2,920 square feet portion of state submerged
11 lands fronting the property identified as Tax Map Key: (2) 4-4-
12 001:042, at Honokowai, Lahaina, Maui, for the use, maintenance,
13 repair, and removal of an existing seawall over, under, and
14 across state-owned land pursuant to section 171-53, Hawaii
15 Revised Statutes; and
16

17 BE IT FURTHER RESOLVED that a certified copy of this
18 Concurrent Resolution be transmitted to the Chairperson of the
19 Board of Land and Natural Resources.
20
21
22

OFFERED BY:



