
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT HAUULA,
KOOLAULOA, OAHU, FOR THE EXISTING RIPRAP REVETMENT, RAMP,
AND ROCK GROIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE
EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, portions of the existing riprap revetment, ramp,
2 and rock groin fronting the property identified as Tax Map Key:
3 (1) 5-3-008:seaward of 012, Hauula, Koolauloa, Oahu, were placed
4 on state submerged lands; and

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6 WHEREAS, about April 2022, the Department of Land and
7 Natural Resources' Office of Conservation and Coastal Lands
8 worked with the property owners, Steven Ernest MacBride and
9 Valerie Jean MacBride, Trustees of the Steven and Valerie
10 MacBride Revocable Trust dated October 30, 2018, to resolve the
11 encroachment; and

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13 WHEREAS, the Office of Conservation and Coastal Lands
14 indicated that it supported a non-exclusive easement to resolve
15 the encroachment; and

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17 WHEREAS, at its meeting of August 26, 2022, under agenda
18 item D-5, the Board of Land and Natural Resources approved a
19 grant of a twenty-five-year non-exclusive easement to resolve
20 the riprap revetment, ramp, and rock groin encroachment, and
21 such non-exclusive easement shall run with the land and shall
22 inure to the benefit of the abutting real property; and

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24 WHEREAS, the total encroachment area was determined to be
25 1,900 square feet, more or less, subject to review and approval
26 by the Department of Accounting and General Services' Survey
27 Division; and

28



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1 WHEREAS, the grantee shall pay the State the fair market
2 value of the non-exclusive easement as consideration of the use
3 of public lands, to be determined by an independent appraisal;
4 and

5
6 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
7 the prior approval of the Governor and prior authorization of
8 the Legislature by concurrent resolution to lease state
9 submerged lands; now, therefore,

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11 BE IT RESOLVED by the House of Representatives of the
12 Thirty-second Legislature of the State of Hawaii, Regular
13 Session of 2023, the Senate concurring, that the Board of Land
14 and Natural Resources is hereby authorized to issue a term, non-
15 exclusive easement covering a portion of state submerged lands
16 fronting the property identified as Tax Map Key: (1) 5-3-
17 008:seaward of 012, Hauula, Koolauloa, Oahu, for the existing
18 riprap revetment, ramp, and rock groin, and for use, repair, and
19 maintenance of the existing improvements constructed thereon
20 pursuant to section 171-53, Hawaii Revised Statutes; and

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

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OFFERED BY: _____



FEB 24 2023

