
SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TWENTY-FIVE-YEAR TERM,
NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE
SUBMERGED LANDS AT WAIKIKI, HONOLULU, OAHU, FOR CONCRETE
STAIRS, AND FOR USE, REPAIR, AND MAINTENANCE OF THE
IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, an existing seawall on the property identified as
2 Tax Map Key: (1) 3-1-039:065, Waikiki, Honolulu, Oahu, abuts
3 state submerged lands; and
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5 WHEREAS, HTH DH Ventures, LLC, a Hawaii limited liability
6 company, is the owner of property identified as Tax Map
7 Key: (1) 3-1-039:005, Waikiki, Honolulu, Oahu, which benefits
8 from easements across the property identified as Tax Map
9 Key: (1) 3-1-039:044, Waikiki, Honolulu, Oahu, and the
10 privately held portion of the property identified as Tax Map
11 Key: (1) 3-1-039:065, Waikiki, Honolulu, Oahu, including across
12 the seawall, for beach access purposes; and
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14 WHEREAS, the seawall previously included concrete steps on
15 its makai side, which were situated on the state submerged
16 lands; and
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18 WHEREAS, the concrete steps were removed in 2021; and
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20 WHEREAS, on May 4, 2023, the Office of Conservation and
21 Coastal Lands of the Department of Land and Natural Resources
22 approved construction of new steps on the subject state
23 submerged land in the same location, alignment, and footprint to
24 replace those removed in 2021; and
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26 WHEREAS, at its meeting on October 13, 2023, under agenda
27 item D-14, the Board of Land and Natural Resources approved the
28 grant of a twenty-five-year, non-exclusive easement for the
29 replacement steps, to run with the land and inure to the benefit



1 of the real property identified as Tax Map Key: (1) 3-1-039:065;
2 and

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4 WHEREAS, the Office of Conservation and Coastal Lands has
5 no objection to a non-exclusive easement to allow for
6 replacement of the removed concrete steps on state submerged
7 lands; and

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9 WHEREAS, the total area of the replacement steps was
10 determined to be approximately twenty-six and five tenths square
11 feet, subject to the review and approval of the Survey Division
12 of the Department of Accounting and General Services; and

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14 WHEREAS, HTH DH Ventures, LLC, has not yet constructed the
15 replacement steps on state submerged lands and has agreed not to
16 do so until the non-exclusive easement approved by the Board of
17 Land and Natural Resources receives the prior approval of the
18 Governor and prior authorization of the Legislature pursuant to
19 section 171-53(c), Hawaii Revised Statutes, and the easement is
20 issued; and

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22 WHEREAS, HTH DH Ventures, LLC, shall pay the State the fair
23 market value of the non-exclusive easement as consideration for
24 the use of state submerged lands, to be determined by an
25 independent appraisal; and

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27 WHEREAS, section 171-53(c), Hawaii Revised Statutes,
28 requires the prior approval of the Governor and the prior
29 authorization of the Legislature by concurrent resolution to
30 lease state submerged lands; now, therefore,

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32 BE IT RESOLVED by the Senate of the Thirty-third
33 Legislature of the State of Hawaii, Regular Session of 2025, the
34 House of Representatives concurring, that the Board of Land and
35 Natural Resources is hereby authorized to issue a
36 twenty-five-year term, non-exclusive easement covering a portion
37 of state submerged land seaward of the property identified as
38 Tax Map Key: (1) 3-1-039:065, Waikiki, Honolulu, Oahu, to HTH DH
39 Ventures, LLC, for the concrete steps, and for use, repair, and
40 maintenance of the improvements constructed thereon pursuant to
41 section 171-53(c), Hawaii Revised Statutes; and
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1 BE IT FURTHER RESOLVED that a certified copy of this
2 Concurrent Resolution be transmitted to the Chairperson of the
3 Board of Land and Natural Resources.
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