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## HOUSE CONCURRENT RESOLUTION

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AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS SEAWARD OF TAX  
MAP KEY: (2) 4-3-010:009 AT KAHANA, LAHAINA, MAUI, FOR THE  
REMOVAL OF EXISTING EMERGENCY SANDBAGS AND CONSTRUCTION,  
USE, REPAIR, AND MAINTENANCE OF A ROCK REVETMENT.

1 WHEREAS, the Hololani Resort Condominiums is a sixty-four-  
2 unit condominium project with two eight-story buildings located  
3 on Kahana Beach; and  
4

5 WHEREAS, after a catastrophic erosion event in which the  
6 shoreline receded to within fifteen feet of the north building,  
7 Hololani Resort Condominiums received emergency authorization  
8 from the Department of Land and Natural Resources and the County  
9 of Maui in 2007 to install a sandbag revetment and erosion  
10 blankets; provided that Hololani Resort Condominiums would  
11 develop a long-term solution to address shoreline erosion of its  
12 property; and  
13

14 WHEREAS, Hololani Resort Condominiums completed a lengthy  
15 permit and approval process at the federal, state, and county  
16 levels and received the Department of Land and Natural  
17 Resources' approval to construct a long-term solution that  
18 consists of a steel sheet pile and sloped rock revetment to be  
19 placed partially on state submerged lands; and  
20

21 WHEREAS, the permitting process for the project included at  
22 least nine separate opportunities for the public and other  
23 government agencies to comment on the project at various  
24 federal, state, and county agencies; and  
25

26 WHEREAS, the Board of Land and Natural Resources accepted a  
27 final environmental assessment from Hololani Resort Condominiums  
28 and issued a finding of no significant impact on October 8,  
29 2013, and approved a Conservation District Use Permit for the



1 project on May 9, 2014, which stipulated that Hololani Resort  
2 Condominiums minimize the use of submerged lands; and  
3

4 WHEREAS, on July 12, 2016, the Maui Planning Commission  
5 approved a Special Management Area Permit and Shoreline Setback  
6 Variance for the project which was based on plans that were  
7 substantially modified to conform to the condition that Hololani  
8 Resort Condominiums minimize the use of submerged lands; and  
9

10 WHEREAS, on January 12, 2018, the Board of Land and Natural  
11 Resources approved the issuance of a term, non-exclusive  
12 easement to Hololani Resort Condominiums for the use of state  
13 submerged lands for the project; and  
14

15 WHEREAS, Hololani Resort Condominiums attempted to secure  
16 legislative approval for the easement during the Regular Session  
17 of 2018 and, while the Senate passed a concurrent resolution  
18 authorizing the issuance of a non-exclusive easement covering a  
19 portion of state submerged lands, the House of Representatives  
20 did not; and  
21

22 WHEREAS, after consultation with the Department of Land and  
23 Natural Resources and approval from the County of Maui, Hololani  
24 Resort Condominiums installed the fully-permitted steel sheet  
25 pile component of the project behind the existing emergency  
26 sandbags, entirely leeward of the certified shoreline; and  
27

28 WHEREAS, to settle lawsuits brought against Hololani Resort  
29 Condominiums, the Board of Land and Natural Resources,  
30 Department of Land and Natural Resources, and County of Maui,  
31 Hololani Resort Condominiums agreed to refrain from replacing  
32 the existing sandbags with a rock revetment for five years while  
33 a regional solution was being designed; and  
34

35 WHEREAS, on May 8, 2020, the Board of Land and Natural  
36 Resources approved a five-year extension of the Conservation  
37 District Use Permit granted to Hololani Resort Condominiums to  
38 accommodate the settlement forbearance period; and  
39

40 WHEREAS, the Legislature passed Act 16, Session Laws of  
41 Hawaii 2020, which provided guidance to the counties regarding  
42 shoreline hardening structures including seawalls and



1 revetments, but provided a carve-out for already permitted  
2 projects; and  
3

4 WHEREAS, all that remains to complete the construction of  
5 the revetment is to replace the existing sandbags with the rock  
6 revetment already permitted by the Board of Land and Natural  
7 Resources and Maui Planning Commission; and  
8

9 WHEREAS, a rock revetment will provide safer vertical and  
10 lateral access, down to and across the Hololani Resort  
11 Condominiums beach frontage, eliminate the sandbag debris that  
12 can wash into the nearshore waters, and occupy a smaller  
13 footprint on the public beach than the existing sandbags; and  
14

15 WHEREAS, Hololani Resort Condominiums has also provided  
16 public infrastructure improvements for the County of Maui by  
17 designing and permitting, as part of the rock revetment, a  
18 permanent public access stairway and protection of the storm  
19 drain to prevent flooding of Lower Honoapiilani Road; and  
20

21 WHEREAS, the easement area required for the rock revetment  
22 is approximately 6,128 square feet and will be finalized and  
23 subject to review and approval by the Survey Division of the  
24 Department of Accounting and General Services; and  
25

26 WHEREAS, Hololani Resort Condominiums will pay the State  
27 the fair market value of the easement as consideration for the  
28 use of state submerged lands to be determined by independent  
29 appraisal; and  
30

31 WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
32 the prior approval of the Governor and prior authorization of  
33 the Legislature by concurrent resolution to lease state  
34 submerged lands; now, therefore,  
35

36 BE IT RESOLVED by the House of Representatives of the  
37 Thirty-third Legislature of the State of Hawaii, Regular Session  
38 of 2025, the Senate concurring, that the Board of Land and  
39 Natural Resources is hereby authorized to issue a twenty-five  
40 year term, non-exclusive easement covering a portion of state  
41 submerged lands seaward of the property identified as Tax Map  
42 Key: (2) 4-3-010:009, Kahana, Lahaina, Maui, for the removal of



1 existing emergency sandbags and the construction, use,  
2 maintenance, and repair of a rock revetment; and

3  
4 BE IT FURTHER RESOLVED that a certified copy of this  
5 Concurrent Resolution be transmitted to Chairperson of the Board  
6 of Land and Natural Resources.

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8  
9 OFFERED BY:

*Elle Cochran*

MAR - 7 2025

