
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIALAE, HONOLULU, OAHU, FOR EXISTING DRAINAGE PURPOSES, AND FOR USE, OPERATION, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, Resorttrust Hawaii, LLC ("RTH"), is the fee owner
2 of that certain parcel of land identified by Tax Map Key: (1) 3-
3 5-023:039 (the "Hotel Property"), upon which it operates the
4 Kahala Hotel & Resort (the "Hotel"); and
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6 WHEREAS, the original owners of the Hotel, pursuant to a
7 1963 Agreement with the State, developed the Hotel and the beach
8 area makai of the Hotel, which included three drainage lines
9 from the Hotel: one stormwater outfall and two lagoon outfalls
10 (collectively, the "outfalls"); and
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12 WHEREAS, portions of the existing drainage lines seaward of
13 the Hotel property cross Tax Map Key No. (1) 3-5-023: portions
14 of 041 and seaward, Waialae, Honolulu, Oahu (the "subject
15 property"), and are located on state submerged lands; and
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17 WHEREAS, the outfalls were constructed in compliance with
18 the laws in existence at the time they were developed; and
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20 WHEREAS, the lagoon outfalls were subsequently modified in
21 compliance with the conservation district requirements, Chapter
22 183, Hawaii Revised Statutes; and
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24 WHEREAS, the outfalls require authorization to occupy state
25 lands; and
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27 WHEREAS, at its meeting of September 27, 2024, under agenda
28 item D-7, the Board of Land and Natural Resources approved the



1 issuance of perpetual, non-exclusive easements to RTH for the
 2 outfalls located on or under the subject property and on state
 3 submerged land at the shoreline abutting the subject property,
 4 along with the right, privilege, and authority to construct,
 5 use, operate, maintain, repair, replace, and remove pipelines
 6 across state-owned land for drainage purposes, with a one-time
 7 payment to be determined by independent appraisal establishing
 8 fair market rent, subject to review and approval by the
 9 Chairperson of the Board of Land and Natural Resources; and

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 11 WHEREAS, the total easement area is approximately 12,700
 12 square feet, to be confirmed by the Department of Accounting and
 13 General Services' Survey Division; and

14
 15 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
 16 the prior approval of the Governor and prior authorization of
 17 the Legislature by concurrent resolution to lease state
 18 submerged lands; now, therefore,

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 20 BE IT RESOLVED by the House of Representatives of the
 21 Thirty-third Legislature of the State of Hawaii, Regular Session
 22 of 2026, the Senate concurring, that the Board of Land Natural
 23 Resources is hereby authorized to issue a perpetual, non-
 24 exclusive easement covering a portion of the subject property
 25 identified (1) 3-5-023: 041, and a portion of state submerged
 26 lands seaward of the subject property, Waialae, Honolulu, Oahu,
 27 for the existing outfalls constructed thereon, along with the
 28 right, privilege, and authority to construct, use, operate,
 29 maintain, repair, replace, and remove pipelines across state-
 30 owned land for drainage purposes, pursuant to section 171-53,
 31 Hawaii Revised Statutes; and

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 33 BE IT FURTHER RESOLVED that certified copies of this
 34 Concurrent Resolution be transmitted to the Governor,
 35 Chairperson of the Board of Land and Natural Resources, and
 36 Director of the Department of Planning and Permitting of the
 37 City and County of Honolulu.

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OFFERED BY: Mark Hille

FEB 25 2026

