

MAR 16 2026

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## SENATE 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



