
SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF THREE PERPETUAL, NON-EXCLUSIVE EASEMENTS COVERING PORTIONS 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
11

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
16

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,
22 Chapter 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
29 issuance of perpetual, non-exclusive easements to RTH for the



1 outfalls located on or under the subject property and on state
2 submerged land at the shoreline abutting the subject property,
3 along with the right, privilege, and authority to construct,
4 use, operate, maintain, repair, replace, and remove pipelines
5 across state-owned land for drainage purposes, with a one-time
6 payment to be determined by independent appraisal establishing
7 fair market rent, subject to review and approval by the
8 Chairperson of the Board of Land and Natural Resources; and
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10 WHEREAS, the total easement area is approximately 12,700
11 square feet and comprises three separate easements of
12 approximately 2,983 square feet; 2,190 square feet; and 7,527
13 square feet, respectively, to be confirmed by the Department of
14 Accounting and General Services' Land Survey Division; and
15

16 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
17 the prior approval of the Governor and prior authorization of
18 the Legislature by concurrent resolution to lease state
19 submerged lands; now, therefore,
20

21 BE IT RESOLVED by the Senate of the Thirty-third
22 Legislature of the State of Hawaii, Regular Session of 2026, the
23 House of Representatives concurring, that the Board of Land and
24 Natural Resources is hereby authorized to issue three perpetual,
25 non-exclusive easements covering portions of the subject
26 property identified (1) 3-5-023:041, and a portion of state
27 submerged lands seaward of the subject property, Waialae,
28 Honolulu, Oahu, for the existing outfalls constructed thereon,
29 along with the right, privilege, and authority to construct,
30 use, operate, maintain, repair, replace, and remove pipelines
31 across state-owned land for drainage purposes, pursuant to
32 section 171-53, Hawaii Revised Statutes; and
33

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

