
SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT MANELE BAY,
LANAI, FOR RENOVATION OF MANELE SMALL BOAT HARBOR.

1 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
2 the prior approval of the Governor and prior authorization of
3 the Legislature by Concurrent Resolution to lease state
4 submerged lands; and

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6 WHEREAS, Coon Brothers Inc. is a Hawai'i corporation that
7 owns and operates tour boats between the islands of Maui and
8 Lanai through three subsidiaries collectively known as Trilogy
9 Corporation; and

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11 WHEREAS, Trilogy Corporation began conducting commercial
12 operations from Manele Small Boat Harbor in 1973 in an area that
13 was to become berth 24; and

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15 WHEREAS, in 1993, the Board of Land and Natural Resources
16 and Trilogy Corporation entered into a renewable, thirty-five
17 year lease of 18,000 square feet of undeveloped land adjacent to
18 berth 24; and

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20 WHEREAS, Trilogy Corporation obtained the thirty-five year
21 lease in order to construct a first class pavilion at Manele
22 Small Boat Harbor so that passengers upon arrival from Maui
23 would have shelter from the elements and a comfortable venue for
24 the lunch and entertainment Trilogy Corporation provides as an
25 integral part of its tour packages; and

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27 WHEREAS, in 2005, Coon Brothers Inc. completed a major
28 renovation of the loading dock used by Trilogy Corporation's
29 three vessels; and

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31 WHEREAS, the State of Hawaii and particularly those Trilogy
32 Corporation's employees on Lanai would benefit from a lease of



1 the loading dock and adjacent submerged lands to run for a term
2 of thirty-five years and a delegation of authority to the
3 Chairperson of the Board of Land and Natural Resources to
4 negotiate its additional terms; and
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6 WHEREAS, as lessee of the loading dock and appurtenant
7 submerged lands, Trilogy Corporation would assume responsibility
8 for maintenance and upkeep of that area and be required to pay
9 fair market lease rent for an area badly in need of repair; now,
10 therefore,
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12 BE IT RESOLVED by the Senate of the Twenty-seventh
13 Legislature of the State of Hawaii, Regular Session of 2013, the
14 House of Representatives concurring, that the Board of Land and
15 Natural Resources is authorized to issue a term, non-exclusive
16 thirty-five-year lease of an easement covering a portion of
17 state submerged lands identified as tax map key (2) 4-9-17:06;
18 and
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20 BE IT FURTHER RESOLVED that a certified copy of this
21 Concurrent Resolution be transmitted to the Chairperson of the
22 Board of Land and Natural Resources.

