
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM LEASE AND NON-EXCLUSIVE
EASEMENT FOR PIER PILINGS ENCROACHMENT PURPOSES AT PULAWAI,
ON THE ISLAND OF LANAI.

1 WHEREAS, pier pilings, which are the remnants of a cattle
2 chute constructed in the early 1900s to load cattle onto ships
3 during the period when a cattle industry existed on the island
4 of Lanai, occupy approximately 585 square feet, more or less,
5 subject to confirmation by the Department of Accounting and
6 General Services, of parcel 002, Pulawai, Lanai, identified by
7 Tax Map Key: (2) 4-9-17; and

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9 WHEREAS, the Office of Conservation and Coastal Lands
10 determined that the pier pilings are the remnants of a
11 nonconforming use and that a conservation district use permit is
12 not required; and

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14 WHEREAS, the Office of Conservation and Coastal Lands also
15 found that the pier pilings are noted as Site 50-40-98-1522 on
16 the State Inventory of Historic Properties and recommended that
17 Pulama Lanai enter into discussions with the Maui District Land
18 Office and the Historic Preservation Division of the Department
19 of Land and Natural Resources; and

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21 WHEREAS, Lāna'i Resorts, LLC dba Pulama Lanai is interested
22 in maintaining the historic site and asked for an easement for
23 the encroachment; and

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25 WHEREAS, Pulama Lanai agreed to a security deposit of
26 \$250,000 for the pier pilings, to be applied to any future
27 consideration or other applicable charges and has provided to
28 the Department of Land and Natural Resources a CAD map with the
29 metes and bounds of the leased area, prepared by a licensed
30 surveyor; and



1 WHEREAS, on June 13, 2014, the Board of Land and Natural
2 Resources approved Pulama Lanai's request for a 55-year term
3 lease and non-exclusive easement for pier pilings encroachment
4 purposes; and
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6 WHEREAS, section 171-53(c), Hawaii Revised Statutes,
7 requires the approval of the Governor and prior authorization of
8 the Legislature by concurrent resolution for the leasing of
9 state submerged lands and lands beneath tidal waters; now,
10 therefore,
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12 BE IT RESOLVED by the House of Representatives of the
13 Twenty-eighth Legislature of the State of Hawaii, Regular
14 Session of 2015, the Senate concurring, pursuant to section 171-
15 53, Hawaii Revised Statutes, that the Board of Land and Natural
16 Resources is authorized to issue a term lease of fifty-five
17 years and non-exclusive easement for approximately 585 square
18 feet, more or less, subject to confirmation by the Department of
19 Accounting and General Services, seaward of parcel 002, Pulawai,
20 Lanai, identified by Tax Map Key: (2) 4-9-17 for pier pilings
21 encroachment purposes; and
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23 BE IT FURTHER RESOLVED that certified copies of this
24 Concurrent Resolution be transmitted to the Chairperson of the
25 Board of Land and Natural Resources.

