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# HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT  
COVERING A PORTION OF STATE SUBMERGED LANDS AT HONOKAWAI,  
LAHAINA, MAUI, FOR SEAWALL PURPOSES.

1           WHEREAS, the original seawall fronting the Hale Kai  
2 Condominium complex was constructed in 1965, prior to the  
3 development of the Hale Kai Condominium, and was built to  
4 provide necessary coastal protection for the property identified  
5 as tax map key: (2) 4-4-001:042; and  
6

7           WHEREAS, it was later determined that a portion of the  
8 seawall encumbers 1,484 square feet of state land, with  
9 submerged portions; and  
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11           WHEREAS, on September 10, 2010, a final environmental  
12 assessment for the existing seawall was completed and the Office  
13 of Conservation and Coastal Lands issued a finding of no  
14 significant impact; and  
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16           WHEREAS, on October 28, 2010, the Board of Land and Natural  
17 Resources approved a Conservation District Use Application for  
18 the Association of Unit Owners of the Hale Kai Condominium, for  
19 seawall improvements located on state-owned lands, seaward of  
20 tax map key: (2) 4-4-001:042; and  
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22           WHEREAS, on August 12, 2011, under agenda item D-2, the  
23 Board of Land and Natural Resources granted a fifty-five year  
24 term, non-exclusive easement to the Association of Unit Owners  
25 of Hale Kai Condominium for seawall purposes, subject to certain  
26 terms and conditions; and  
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28           WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
29 the prior approval of the Governor and prior authorization of  
30 the Legislature by concurrent resolution to lease state  
31 submerged lands; now, therefore,  
32



# H.C.R. NO. 142

1 BE IT RESOLVED by the House of Representatives of the  
2 Twenty-sixth Legislature of the State of Hawaii, Regular Session  
3 of 2012, the Senate concurring, that the Board of Land and  
4 Natural Resources is authorized to issue a term, non-exclusive  
5 easement covering a portion of state submerged lands fronting  
6 the property identified as tax map key: (2) 4-4-001:042, at  
7 Honokawai, Lahaina, Maui, for the use, maintenance, repair, and  
8 removal of an existing seawall over, under, and across state-  
9 owned land pursuant to section 171-53, Hawaii Revised Statutes;  
10 and

11  
12 BE IT FURTHER RESOLVED that a certified copy of this  
13 Concurrent Resolution be transmitted to the Chairperson of the  
14 Board of Land and Natural Resources.

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OFFERED BY:  \_\_\_\_\_

MAR 13 2012