

MAR 05 2013

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# SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A FIFTY-FIVE YEAR TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT PUAMANA, LAHAINA, MAUI, FOR VARIOUS SEAWALL STRUCTURES, A CONCRETE GROIN, AND REVETMENT FOOTINGS OF A HISTORIC SWIMMING POOL.

1           WHEREAS, the Puamana Community Association owns the  
2 property located at 34 Puailima Place, Lahaina, Hawaii, further  
3 identified by tax map key: (2) 4-6-028:001; and  
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5           WHEREAS, the seawall structures, built in the 1930s, follow  
6 along the shoreline and provide stability and necessary coastal  
7 protection for the property; and  
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9           WHEREAS, the concrete groin and revetment footings  
10 represent part of a historic swimming pool that was built in the  
11 1930s as part of a former plantation manager's residence; and  
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13           WHEREAS, it was later determined that portions of the  
14 seawall structures, the concrete groin, and revetment footings  
15 of the historic swimming pool encumber a total of 1,895 square  
16 feet of state submerged land; and  
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18           WHEREAS, the Office of Conservation and Coastal Lands of  
19 the Department of Land and Natural Resources has determined that  
20 the structures are existing and non-conforming, in that they  
21 were constructed prior to October 1964 and prior to the subject  
22 land being designated as a conservation district; and  
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24           WHEREAS, on October 26, 2012, under agenda item D-6, the  
25 Board of Land and Natural Resources granted approval for a  
26 fifty-five year term, non-exclusive easement to the Puamana  
27 Community Association for five shoreline encroachments  
28 (identified as Easements "E-1" through "E-5" in the February  
29 2012 Application for Request for State Lands) for the seawall



1 structures, the concrete groin, and the revetment footings of  
2 the historic swimming pool; and  
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4 WHEREAS, section 171-53, Hawaii Revised Statutes, requires  
5 the prior approval of the Governor and prior authorization of  
6 the Legislature by concurrent resolution to lease state  
7 submerged lands; now, therefore,  
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9 BE IT RESOLVED by the Senate of the Twenty-seventh  
10 Legislature of the State of Hawaii, Regular Session of 2013, the  
11 House of Representatives concurring, that the Board of Land and  
12 Natural Resources is authorized to issue a term, non-exclusive  
13 easement covering a portion of state submerged lands fronting  
14 the property identified as tax map key: (2) 4-6-028:001 at  
15 Puamana, Lahaina, Maui, for the use, maintenance, repair,  
16 replacement, and removal of the existing seawall structures, the  
17 concrete groin and the revetment footings of the historic  
18 swimming pool over, under, and across state-owned land pursuant  
19 to section 171-53, Hawaii Revised Statutes; and  
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21 BE IT FURTHER RESOLVED that a certified copy of this  
22 Concurrent Resolution be transmitted to the Chairperson of the  
23 Board of Land and Natural Resources.  
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OFFERED BY: Rosalyn H. Baker

