AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT
COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHAINA,
MAUI, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING
CONCRETE SEAWALL, AND FOR THE USE, REPAIR, AND MAINTENANCE
OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

WHEREAS, portions of the existing concrete seawall fronting
the property identified as Tax Map Key: (2) 4-6-003: seaward
of 007, Lahaina, Maui, was placed upon state submerged lands;
and

WHEREAS, in mid-2016, the Department of Land and Natural
Resources' Office of Conservation and Coastal Lands worked with
the property owner, Campbell Family Trust, to resolve the
encroachment; and

WHEREAS, on October 14, 2016, under agenda item D-9, the
Board of Land and Natural Resources approved a grant of a fifty-
five-year non-exclusive easement to resolve the encroachment;
and

WHEREAS, the subject area as described in the October 14,
2016, submittal is about 71 square feet, however a subsequent
easement survey shows the area to be approximately 65 square
feet, which will be reviewed and approved by the Department of
Accounting and General Services' Survey Division; and

WHEREAS, the grantees are required to pay the State the
fair market value of the easement, to be determined by an
independent appraisal, as consideration for the use of public
lands; and

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

BE IT RESOLVED by the Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017, the House of Representatives concurring, that the Board of Land and Natural Resources is hereby authorized to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (2) 4-6-003: seaward of 007, Lahaina, Maui, for the maintenance and repair of the existing concrete seawall, and for the use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes; and

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