

MAR 09 2018

SENATE CONCURRENT RESOLUTION

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

1 WHEREAS, the property is located on a portion of government
2 land located seaward of Spreckelsville, Wailuku, Maui and
3 identified as Tax Map Key: (2) 3-8-002:seaward of 001; and
4

5 WHEREAS, a shoreline encroachment exists on the property
6 and the encroachment consists of a boulder revetment, concrete
7 rubble masonry (CRM) wall, and CRM steps with an area of
8 approximately 1,128 square feet; and
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10 WHEREAS, portions of the CRM wall, CRM steps, and the
11 entire boulder revetment are identified seaward of the record
12 property boundary for the property; and
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14 WHEREAS, according to an engineering analysis conducted to
15 evaluate the necessity of the boulder revetment to support the
16 CRM wall fronting the property, the revetment does not appear to
17 be an engineered revetment because smooth, possibly natural,
18 basalt boulders were used rather than rough, angular quarry
19 stone, and the smooth boulders were placed randomly rather than
20 keyed and fitted; and
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22 WHEREAS, randomly placed smooth boulder stones are less
23 stable and more likely to be displaced by waves than a properly
24 constructed and maintained revetment; and
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26 WHEREAS, furthermore, according to the engineering
27 analysis, the boulder revetment partially absorbs wave energy
28 before the wave energy impacts the face of the CRM wall, and
29 removal of the revetment may put the CRM wall at a greater risk
30 of failure due to increased wave impact forces; and



1
2 WHEREAS, the boulder revetment influences the coastal
3 dynamics of Sugar Cove and may partially stabilize Sugar Cove
4 Beach by reducing wave reflection off the CRM wall, thereby
5 absorbing incoming wave energy and impacting current
6 circulation; and
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8 WHEREAS, the Office of Conservation and Coastal Lands
9 (OCCL) of the Department of Land and Natural Resources
10 determined that removing the encroachment would effectively be
11 impossible and unnecessary because the encroachment has been in
12 place for over ninety years and has not impeded any public
13 access throughout this time period; and
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15 WHEREAS, the OCCL also determined that removing the
16 encroachment would not improve beach access nor beach processes
17 because the existing encroachment does not affect present
18 conditions, but in fact, improves these conditions in that it
19 provides for safe public access and protection from storms, high
20 waters, and surf; and
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22 WHEREAS, as a result, the OCCL's evaluation criteria
23 supported a disposition of shoreline encroachment by the
24 issuance of an easement; and
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26 WHEREAS, on September 22, 2017, under agenda item D-7, the
27 Board of Land and Natural Resources approved the issuance of a
28 fifty-five-year term, non-exclusive easement to Seaview 2004,
29 Inc., for the resolution of encroaching seawall purposes; and
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31 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
32 the prior approval of the Governor and prior authorization of
33 the Legislature by concurrent resolution to lease state
34 submerged lands; now, therefore,
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36 BE IT RESOLVED by the Senate of the Twenty-ninth
37 Legislature of the State of Hawaii, Regular Session of 2018, the
38 House of Representatives concurring, that the Board of Land and
39 Natural Resources is hereby authorized to issue a term, non-
40 exclusive easement covering a portion of state submerged lands
41 located seaward of Spreckelsville, Wailuku, Maui and identified
42 as Tax Map Key: (2) 3-8-002:seaward of 001 for the existing



S.C.R. NO. 80

1 seawall and boulder revetment and for use, repair, and
2 maintenance of the existing improvements constructed thereon
3 pursuant to section 171-53, Hawaii Revised Statutes; and
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5 BE IT FURTHER RESOLVED that a certified copy of this
6 Concurrent Resolution be transmitted to the Chairperson of the
7 Board of Land and Natural Resources.
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OFFERED BY:

~~AC~~ AC *AC*
Amely de Baker
Imaine G. Brown
J. Nivani

