SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEHOE, KOOLAUPoko, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

WHEREAS, portions of the existing storm drain fronting the property identified as Tax Map Key: (1) 4-4-021:seaward of 038, Kaneohe, Koolaupoko, Oahu, were placed on state submerged lands; and

WHEREAS, around April 2013, the Department of Land and Natural Resources' Office of Conservation and Coastal Lands worked with the City and County of Honolulu to resolve the storm drain encroachment; and

WHEREAS, the Office of Conservation and Coastal Lands indicated they had no objection to a perpetual non-exclusive easement to resolve the storm drain encroachment; and

WHEREAS, at its meeting of August 23, 2013, under agenda item D-10, the Board of Land and Natural Resources approved a grant of a perpetual non-exclusive easement to resolve the storm drain encroachment, at gratis consideration; and

WHEREAS, the total encroachment area was determined to be 679 square feet as reviewed and approved by the Department of Accounting and General Services' Survey Division; 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 Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, the House of Representatives concurring, that the Board of Land and Natural Resources is hereby authorized to issue a perpetual, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-4-021:seaward of 038, Kaneohe, Koolaupoko, Oahu, for the existing storm drain, and for 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.

OFFERED BY: [Signature]

BY REQUEST

LNR-R5(20)
DEPARTMENT: Land and Natural Resources

TITLE: CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE EXISTING STORM DRAIN, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON.

PURPOSE: To seek the authorization of the Legislature by concurrent resolution of the issuance of a perpetual, non-exclusive easement by the Board of Land and Natural Resources (Board) for the existing storm drain, and for use, repair, and maintenance of the existing improvements constructed thereon.

MEANS: Concurrent resolution pursuant to section 171-53, Hawaii Revised Statutes (HRS).

JUSTIFICATION: Portions of the existing storm drain fronting the property identified as Tax Map Key: (1) 4-4-021:seaward of 038, Kaneohe, Koolaupoko, Oahu, was placed upon state submerged lands.

The City and County of Honolulu worked with the Department's Office of Conservation and Coastal Lands (OCCL) to resolve the storm drain encroachment. OCCL had no objections to a perpetual non-exclusive easement to resolve the storm drain encroachment.

At its meeting of August 23, 2013, under agenda item D-10, the Board approved a grant of a perpetual non-exclusive easement to resolve the storm drain encroachment, at gratis consideration.

The subject area is 679 square feet, as reviewed and approved by the Department of Accounting and General Services' Survey Division.
Section 171-53, HRS, requires the prior approval of the Governor and prior authorization of the Legislature by concurrent resolution to lease state submerged lands. As such, this concurrent resolution has been prepared in compliance with the requirements of section 171-53, HRS.

Impact on the public: None.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: LNR 101.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon adoption.