
HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A 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 encumbers 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 determined that the
20 structures are existing and non-conforming, in that they were
21 constructed prior to October 1964; and
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23 WHEREAS, the Puamana Community Association obtained a fully
24 executed grant of non-exclusive easement (GL S-6050), dated
25 March 3, 2014, for a total of five shoreline encroachments
26 (identified as Easements "E-1" through "E-5" in the February
27 2012 Application for Request for State Lands) for the seawall
28 structures, the concrete groin, and the revetment footings of



1 the historic swimming pool, which, in total, have an area of
2 1,895 square feet; and

3
4 WHEREAS, it was later determined by the Department of Land
5 and Natural Resources that the easements identified in the
6 March 3, 2014, easement agreement (Easements "E-1" through "E-
7 5") would need to be amended to include additional areas for the
8 seawall and pool structures, based on an updated shoreline
9 survey of the property; and

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11 WHEREAS, the easements identified in the March 3, 2014,
12 agreement as Easements "E-2" and "E-3", an area of 357 square
13 feet, now become Easement "E-2-A", which has a total area of
14 1,228 square feet and represents an increase of 871 square feet;
15 and

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17 WHEREAS, the easements identified in the March 3, 2014,
18 agreement as Easements "E-4" and "E-5", an area of 423 square
19 feet, now become Easement "E-3-A", which has a total area of
20 2,899 square feet and represents an increase of 2,476 square
21 feet; and

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23 WHEREAS, the total combined easement area is now 5,242
24 square feet, including Easement "E-2-A", Easement "E-3-A", and
25 the unchanged Easement "E-1"; and

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27 WHEREAS, the amended easements (E-2-A and E-3-A) are
28 subject to approval of lease terms, easement appraisal, and
29 lease payment by the Board of Land and Natural Resources; 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 House of Representatives of the
37 Twenty-eighth Legislature of the State of Hawaii, Regular
38 Session of 2016, the Senate concurring, that the Board of Land
39 and Natural Resources is hereby authorized to issue a new non-
40 exclusive easement for a term of fifty-five years, covering a
41 portion of State submerged lands fronting the property
42 identified as tax map key: (2) 4-6-028:001 at Puamana, Lahaina,



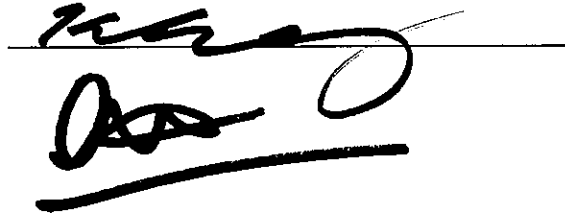
H.C.R. NO. 181

1 Maui, for the use, maintenance, repair, and removal of the
2 existing seawall structures, the concrete groin, and the
3 revetment footings of the historic swimming pool over, under,
4 and across state-owned land, pursuant to section 171-53, Hawaii
5 Revised Statutes; and

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

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11
12

OFFERED BY:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

MAR 11 2016

