

HOUSE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS FRONTING THE PROPERTY IDENTIFIED AS TAX MAP KEY: (2) 4-8-003: SEAWARD OF 006, OLOWALU, LAHAINA, MAUI, HAWAII, FOR THE CONSTRUCTION OF A BOULDER FILL REVETMENT TO PROTECT HONOAPIILANI HIGHWAY FROM DAMAGE DUE TO SHORELINE EROSION.

1 WHEREAS, portions of Honoapiilani Highway (State highway
2 30) are being negatively impacted by shoreline erosion in the
3 area of Olowalu, Lahaina, Maui, Hawaii, tax map key: (2) 4-8-
4 003: Seaward of 006; and

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6 WHEREAS, the Department of Transportation, Highways
7 Division, is requesting an easement on unencumbered state lands
8 adjacent to the highway, to allow for the construction of a
9 boulder fill revetment along a 900-foot section of the seaward
10 side of the highway, outside of the highway right of way, to
11 protect Honoapiilani Highway from damage due to shoreline
12 erosion; and

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14 WHEREAS, on April 11, 2014, the Board of Land and Natural
15 Resources approved the Department of Transportation, Highway
16 Division's Conservation District Use Application MA-3708 for the
17 subject project; and

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19 WHEREAS, a Special Management Area Use Permit and Shoreline
20 Setback Variance was approved by the Maui Planning Commission on
21 April 26, 2011; and

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23 WHEREAS, on August 14, 2015, under agenda item D-6, the
24 Board of Land and Natural Resources approved the grant of a
25 term, non-exclusive easement for sixty-five years to account for
26 the use of government lands which the newly constructed boulder
27 fill revetment will encumber; and

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29 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
30 the prior approval of the Governor and prior authorization of



1 the Legislature by concurrent resolution to lease state
2 submerged lands; now, therefore,

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4 BE IT RESOLVED by the House of Representatives of the
5 Twenty-eighth Legislature of the State of Hawaii, Regular
6 Session of 2016, the Senate concurring, that the Board of Land
7 and Natural Resources is hereby authorized to issue a term, non-
8 exclusive easement for sixty-five years covering a portion of
9 state submerged lands fronting the property identified as tax
10 map key: (2) 4-8-003: Seaward of 006, Olowalu, Lahaina, Maui,
11 Hawaii, for the construction of a boulder fill revetment to
12 protect Honoapiilani Highway from damage due to shoreline
13 erosion; and

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15 BE IT FURTHER RESOLVED that the Department of
16 Transportation, Highways Division, be authorized to use,
17 maintain, and repair the subject improvements constructed
18 thereon pursuant to section 171-53, Hawaii Revised Statutes; and

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

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