
SENATE CONCURRENT RESOLUTION

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.

1 WHEREAS, portions of the existing concrete seawall fronting
2 the property identified as Tax Map Key: (2) 4-6-003: seaward
3 of 007, Lahaina, Maui, was placed upon state submerged lands;
4 and
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6 WHEREAS, in mid-2016, the Department of Land and Natural
7 Resources' Office of Conservation and Coastal Lands worked with
8 the property owner, Campbell Family Trust, to resolve the
9 encroachment; and
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11 WHEREAS, on October 14, 2016, under agenda item D-9, the
12 Board of Land and Natural Resources approved a grant of a fifty-
13 five-year non-exclusive easement to resolve the encroachment;
14 and
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16 WHEREAS, the subject area as described in the October 14,
17 2016, submittal is about 71 square feet, however a subsequent
18 easement survey shows the area to be approximately 65 square
19 feet, which will be reviewed and approved by the Department of
20 Accounting and General Services' Survey Division; and
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22 WHEREAS, the grantees are required to pay the State the
23 fair market value of the easement, to be determined by an
24 independent appraisal, as consideration for the use of public
25 lands; and
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27 WHEREAS, section 171-53, Hawaii Revised Statutes, requires
28 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 Senate of the Twenty-ninth
5 Legislature of the State of Hawaii, Regular Session of 2017, the
6 House of Representatives concurring, that the Board of Land and
7 Natural Resources is hereby authorized to issue a term, non-
8 exclusive easement covering a portion of state submerged lands
9 fronting the property identified as Tax Map Key: (2) 4-6-003:
10 seaward of 007, Lahaina, Maui, for the maintenance and repair of
11 the existing concrete seawall, and for the use, repair, and
12 maintenance of the existing improvements constructed thereon
13 pursuant to section 171-53, Hawaii Revised Statutes; and

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

