

JAN 23 2025

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE ISSUANCE OF A PERPETUAL, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT MAUNALUA, HONOLULU, OAHU, FOR THE STORMWATER MANAGEMENT OUTFALL AND DRAINAGE SYSTEM, AND FOR USE, REPAIR, AND MAINTENANCE OF THE IMPROVEMENTS CONSTRUCTED THEREON.

1 WHEREAS, portions of the existing drainage outfall fronting
2 the property identified as Tax Map Key: (1) 3-9-003: seaward of
3 028, Maunaloa, Honolulu, Oahu, were placed on state submerged
4 lands; and

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6 WHEREAS, on February 9, 2018, under agenda item K-3, the
7 Board of Land and Natural Resources approved the Office of
8 Conservation and Coastal Lands Conservation District Use Permit
9 for a permanent replacement of the drainage outfall that was
10 outdated and ineffective; and

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12 WHEREAS, the City and County of Honolulu agreed to obtain
13 an easement from the State for the portion of the stormwater
14 management outfall and drainage system located on state
15 submerged lands; and

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17 WHEREAS, under the same agenda item K-3 mentioned above,
18 the Board of Land and Natural Resources approved the grant of a
19 perpetual non-exclusive easement for the stormwater management
20 outfall and drainage system, at gratis consideration; and

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22 WHEREAS, the total encroachment area was determined to be
23 1,050 square feet as reviewed and approved by the Department of
24 Accounting and General Services Survey Division and

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26 WHEREAS, section 171-53(c), Hawaii Revised Statutes,
27 requires the prior approval of the Governor and prior
28 authorization of the Legislature by concurrent resolution to
29 lease state submerged lands; now, therefore,

1 BE IT RESOLVED by the Senate of the Thirty-third
2 Legislature of the State of Hawaii, Regular Session of 2025, the
3 House of Representatives concurring, that the Board of Land and
4 Natural Resources is hereby authorized to issue a perpetual,
5 non-exclusive easement covering a portion of state submerged
6 lands fronting the property identified as Tax Map Key: (1) 3-9-
7 003: seaward of 028, Maunalua, Honolulu, Oahu, to the City and
8 County of Honolulu for the stormwater management outfall and
9 drainage system, and for use, repair, and maintenance of the
10 improvements constructed thereon pursuant to section 171-53,
11 Hawaii Revised Statutes; and

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

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17 OFFERED BY: 

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19 BY REQUEST

JUSTIFICATION SHEET

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 MAUNALUA, HONOLULU, OAHU,
FOR THE STORMWATER MANAGEMENT OUTFALL AND
DRAINAGE SYSTEM, AND FOR USE, REPAIR, AND
MAINTENANCE OF THE 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 stormwater management outfall and
drainage system, and for use, repair, and
maintenance of the existing improvements
constructed thereon.

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

JUSTIFICATION: Portions of the existing drainage outfall
seaward of the property identified as Tax
Map Key: (1) 3-9-003: seaward of 028,
Maunaloa, Honolulu, Oahu, were placed on
state submerged lands.

On February 9, 2018, the Board approved the
Office of Conservation and Coastal Lands
Conservation District Use Permit for a
permanent replacement of the drainage
outfall that was outdated and ineffective.

The City and County of Honolulu agreed to
obtain an easement from the State for the
portion of the stormwater management outfall
and drainage system located on state
submerged lands.

Under the same agenda item K-3 mentioned
above, the Board approved the grant of a
perpetual non-exclusive easement for the

stormwater management outfall and drainage system, at gratis consideration.

The total encroachment area was determined to be 1,050 square feet as reviewed and approved by the Department of Accounting and General Services Survey Division.

Section 171-53(c), 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(c), 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.