

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 27, 2012

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 11OD-214

Oahu

Set Aside to the Department of Education for School Purposes, Haleiwa, Waialua,
Oahu, Tax Map Key: (1) 6-6-013:012

APPLICANT:

Department of Education (DOE)

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Haleiwa, Waialua, Oahu, Tax Map Key:
(1) 6-6-013:012, as shown on the attached map labeled Exhibit 1.

AREA:

4.8 acres, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: R-5

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Currently, DOE operates the Haleiwa Elementary School on the subject site. Further, the
subject site is encumbered by Grant of Easement, filed by Land Office Deed 27398 to the

City and County of Honolulu, Board of Water Supply for fire hydrants and pipelines purposes.

PURPOSE:

School purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as included in Exhibit 2.

APPLICANT REQUIREMENT:

None. Map and description for the subject site are available.

REMARKS:

The subject lands were acquired by the State of Hawaii pursuant to three (3) land exchanges. They are filed as Land Office Deed (LOD) 1441, 1810 and 2019, consisting of lands received from the Estate of Bernice Pauahi Bishop. LOD 1441, dated December 27, 1905, consists of 86,210 square feet of land to the Territory of Hawaii (TOH). LOD 1810, dated May 4, 1917, consists of 61,125 square feet of land to the TOH. LOD 2019, dated April 15, 1921, consists of 17,606 and 44,791 square feet, or, a total of 62,397 square feet of land to the TOH. The subject land exchanges established the school site.

According to staff's records, there was never any setting aside of the subject lands to the DOE to establish the current site for the Haleiwa Elementary School. Prior to 1966, the school was known as the Waialua Elementary School. Therefore, the purpose of this request is to set aside the public land to the DOE, for school purposes, for the continued operation of the subject school.

Staff believes that the highest and best use for the subject property should be for school use; which is the site's current and existing use.

No requests were routed for comments since the subject request is for housekeeping purposes only.

There are no other pertinent issues or concerns that staff had been aware of, and had no objections to the subject request.

Staff now brings this request for the disposition of public lands to the Board for its approval.

RECOMMENDATION: That the Board:

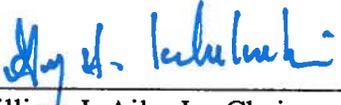
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject land to the Department of Education under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

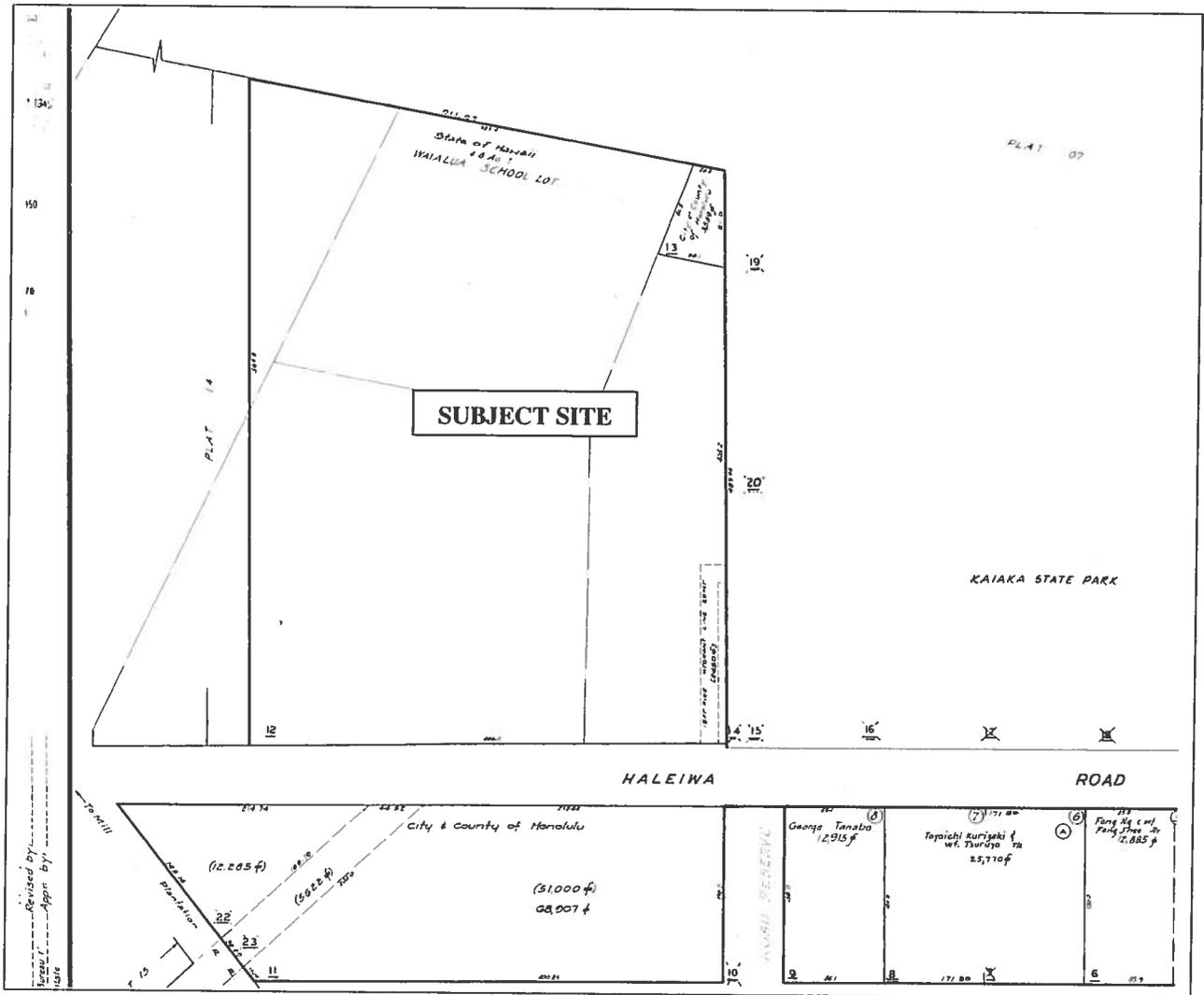


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson



TAX MAP KEY: (1) 6-6-013:012

EXHIBIT 1

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Set Aside to the Department of Education for School Purposes

Project / Reference No.: PSF 11OD-214

Project Location: Haleiwa, Waialua, Oahu, Tax Map Key: (1) 6-6-013:012

Project Description: Setting Aside of Public Lands to the State Department of Education

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The setting aside of the public land is intended for school purposes, to the Department of Education, for the continued operation of the Haleiwa Elementary School. As such, staff believes that the said use of the subject property would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties Not applicable

Recommendation: That the Board finds that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

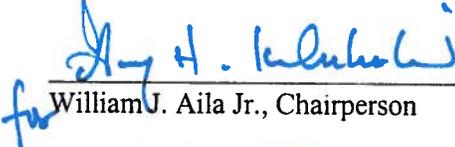

for William J. Aila Jr., Chairperson
1.6.12
Date

EXHIBIT 2