

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

June 13, 2014

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

PSF No. 06OD-046

Oahu

Grant of Perpetual, Non-Exclusive Easement to the City and County of Honolulu for Fire Hydrant Purposes; Maunalaha Honolulu, Oahu, Tax Map Key (1) 2-5-024:016, 018 & 034.

APPLICANT:

City and County of Honolulu

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Maunalaha, Honolulu, Oahu, identified by Tax Map Keys: (1) 2-5-024:016, 018 & 034, as shown on the attached map labeled **Exhibit A**.

AREA:

Easements W-1(256 sf), W-2 (189 sf), and W-3(162 sf): Total:607 sf, more or less.

ZONING:

State Land Use District: Conservation
City and County of Honolulu LUO: P-1

TRUST LAND STATUS:

Section 5 (b) lands of the Hawaiian Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Parcels 16 and 18 are encumbered by General Lease No. 4896 and 4912 respectively for residential purposes, while Parcel 34 is unencumbered.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove the fire hydrants over and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Conservation District Use Application (OA-3463), as shown in Exhibit B, was approved on May 23, 2008. The proposed project was determined by the Department to be exempt from an Environmental Assessment in conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and HAR, Title 11, Department of Health, Chapter 200, Environmental Impact Statement Rules. Notice of this CDUA was published in the April 23, 2008 publication of the Office of Environmental Quality Control's Environmental Notice.

DCCA VERIFICATION:

Not applicable.

APPLICANT REQUIREMENTS:

Concurrence from the lessees under the leases mentioned above.

REMARKS:

According to the City and County of Honolulu, by its Board of Water Supply ("BWS"), improvements for the subject water system in Maunalaha have been completed and are presently in operation. BWS is requesting the issuance of perpetual, non-exclusive easements for fire hydrants located within the Maunalaha Home Sites. A Conservation District Use Permit (CDUP) was previously approved of by the Chairperson on May 23, 2008.

During the CDUP approval process, a request for comments was previously conducted by OCCL. Thus, no further comments were sought for purposes of this request.

Staff now brings the subject request for approval to the Board.

RECOMMENDATION: That the Board authorize the issuance of perpetual non-exclusive easements to the City and County of Honolulu covering the subject area for fire hydrants purposes, under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The standard terms and conditions of the most current perpetual easement document form, as may be amended from time to time;
- B. Review and approval by the Department of the Attorney General; and
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

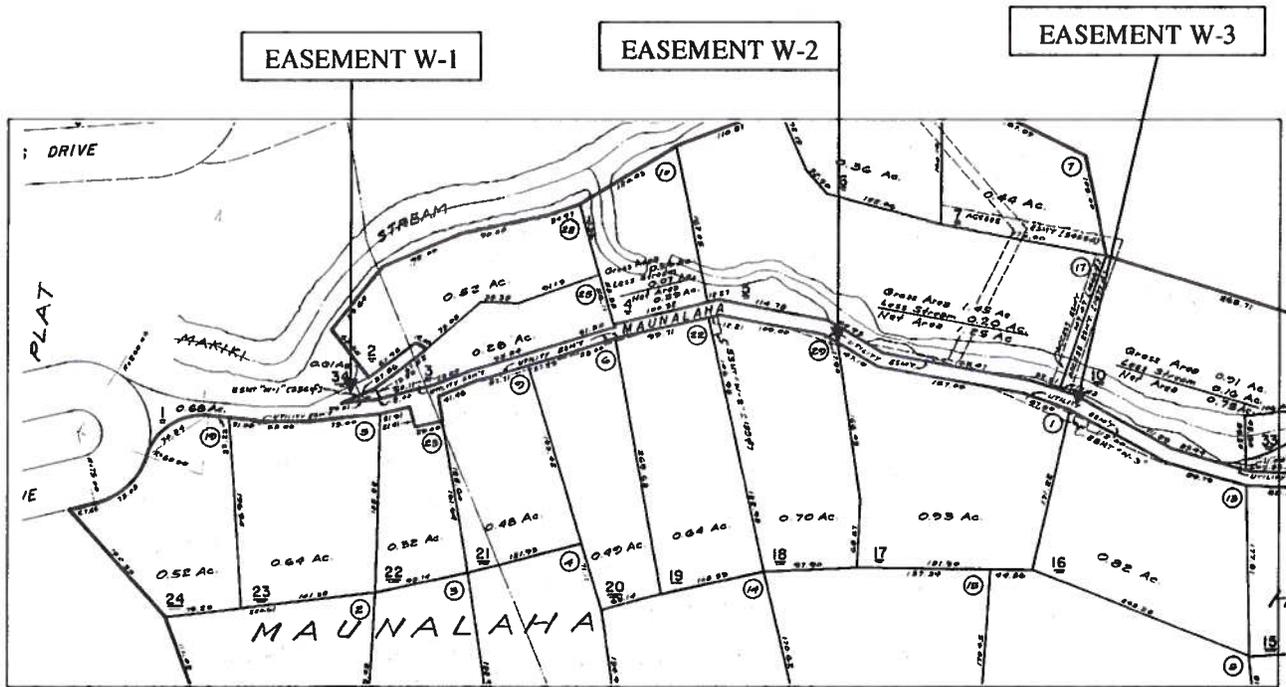


Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson



TAX MAP KEY: (1) 2-5-024:016, 018 & 024

EXHIBIT A

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LAND
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL:TM

CDUP: OA-3463

Acceptance Date: April 7, 2008
180-Day Exp. Date: October 4, 2008

Clifford P. Lum
Board of Water Supply
City & County of Honolulu
630 South Beretania Street
Honolulu, Hawaii 96843

MAY 27 2008

Dear Mr. Lum:

SUBJECT: Conservation District Use Permit (CDUP) OA-3463

This is to inform you that on May 23, 2008, the Chairperson of the Board of Land and Natural Resources approved your Conservation District Use Application for the Maunalaha Homesite Water System Improvements located along and within Maunalaha Road, Makiki/Tantalus, Oahu, TMK: (1) 2-5-024:001 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State, and County governments, and applicable parts of the Hawaii Administrative Rules, Chapter 13-5;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall obtain a land disposition from the Land Division for the improvements cited on State lands;
4. The applicant shall comply with all applicable Department of Health administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control" if applicable;

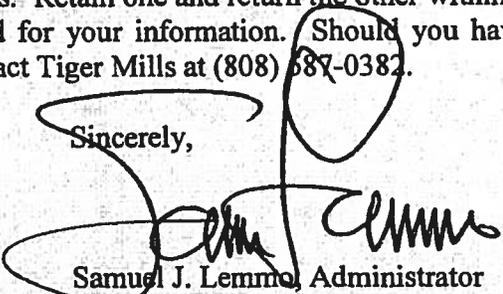
EXHIBIT "B"

- ✓ 6/16/08
5. Before proceeding with any work authorized by the Department, the applicant shall submit four (4) copies of the construction and grading plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;
 6. Any work done or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within three (3) years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
 7. All representations relative to mitigation set forth in the accepted application for the proposed use are incorporated as conditions of the permit;
 8. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
 9. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
 10. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
 11. Cleared areas shall be revegetated within thirty (30) days unless otherwise provided for in a plan on file with and approved with the department;
 12. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
 13. The applicant shall comply with the State Historic Preservation Division approved Archaeological Monitoring Plan for the project;
 14. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact the Historic Preservation Division and State Parks archeologists, which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
 15. Other terms and conditions as may be prescribed by the Chairperson; and

16. Failure to comply with any of these conditions shall render this Conservation District Use Permit null and void.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other within thirty (30) days. A copy of the Staff report is included for your information. Should you have any questions regarding any of these conditions, contact Tiger Mills at (808) 587-0382.

Sincerely,



Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

Receipt acknowledged:

_____ Date _____
Applicant's Signature

c: Chairperson
ODLO
City & County of Honolulu-DPP

**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS
Honolulu, Hawaii**

Acceptance Date: April 7, 2008
180-Day Exp. Date: October 4, 2008

To: Chairperson's Office, Department of Land and Natural Resources

REGARDING: Conservation District Use Application (CDUA) OA-3463
Water System Improvements for the Maunalaha Homesites

APPLICANT Board of Water Supply
City & County of Honolulu

LANDOWNER: City and County of Honolulu

LOCATION: Maunalaha Road
Makiki/Tantalus, Honolulu, Oahu

TMKs: (1) 2-5-024:001

AREA OF PARCEL/ 0.68 acres

USE: 0.68 acres

SUBZONE: Resource

BACKGROUND

The Department approved CDUA OA-3263 for the proposed project on February 13, 2006. Plans were not submitted, work did not commence and the permit expired. This is a resubmittal of the CDUA for the proposed Water System Improvements for the Maunalaha Homesites.

DESCRIPTION OF AREA AND CURRENT USE

The subject area is located in the neighborhood of Makiki Heights and the Maunalaha Homesites area on the island of Oahu. The latter is a 30-lot subdivision where approximately 20 families have long-term leases with the State Department of Land and Natural Resources (DLNR). The project area is located on the Diamond Head side of Maunalaha Stream and is approximately .5 mile mauka of the intersection of Nehoa Street and Makiki Street.

The entire proposed water system improvement alignment is approximately 3300 feet in length and is located along the public right-of-way of Round Top Drive, between its intersection with Makiki Street on the makai end within the Urban District and Maunalaha Road on the mauka end. The Maunalaha Road portion of the project, identified as TMK:(1) 2-5-024:001 lies within the Resource subzone of the Conservation District. There are no aboveground structures present on Maunalaha Road; however, there are utility poles and guardrails running alongside the road. The existing water lines are located under the road (**Exhibit 1, 2 & 3**).

This is a residential area. According to the applicant, existing utility systems in the project area include electricity, telephone, and cable telecommunication. The residents of Maunalaha Homesites receive water service through an existing four-inch cross country main and various small service mains along Maunalaha Road. Maunalaha Homesites and residents are not served by the municipal sewer system. Homes in the area have individual wastewater systems. There are no storm water facilities. Presently, storm water within the project site sheet-flows into low-lying areas.

According to the applicant, Round Top Drive in the urban area is considered a substandard roadway that connects to Maunalaha Road. Maunalaha Road is a narrow, dead-end roadway that primarily serves the residents of Maunalaha Homesites. There are no curbs and the pavement is, on average, about ten feet in width. Although the roadway is asphalt-paved, it is in a state of disrepair and is less maintained further into the valley. It is also in need of resurfacing (**Exhibit 4, 5 & 6**).

Flora is limited to areas immediately adjacent to the roadway. The majority of the vegetation is comprised of introduced species. Native vegetation found in Maunalaha Valley are ekaha, maidenhair fern and ape. The canopy cover near Maunalaha Road is fairly dense and is dominated by large, spreading banyan and mango trees. There are no records of any threatened or endangered species or native ecosystems currently existing in areas immediately surrounding the project site. Previous activities have eliminated the original flora.

Avifauna includes common introduced bird species such as the shama thrush, majiro, bulbul, cardinal and mynah. Native species less frequently seen include the migratory kolea and the Oahu amakihi. Domestic introduced animals include dogs, cats and chicken. Feral pigs, rodents and cats also exist near the project area. According to the applicant, it is believed that there are no rare, threatened or endangered plant or animal species in the project area.

A burial site was located within a parcel fronting Maunalaha Road, and another burial site was located at the intersection of Makiki Heights Road and Maunalaha Road. More subsurface historic sites may still exist in and around the project site. The State Historic Preservation Division has reviewed and accepted an Archaeological Monitoring Plan for the project.

PROPOSED USE

According to the information presented, the City and County of Honolulu, Board of Water Supply (BWS) proposes water system improvements through portions of Makiki Heights and Maunalaha Homesites. The project includes installing six- and eight-inch water mains along Round Top Drive and Maunalaha Road, the installation of fire hydrants, water distribution lines and laterals, and the relocation of water meters.

For the three hydrants located along Maunalaha Road, where possible, fire hydrants will be located within the existing right-of-ways. In places where the right-of-way is too narrow, the fire hydrants will need to be located on adjacent State-owned land. The proposed project also involves capping and abandoning the existing four-inch waterline that traverses Maunalaha Road. Work in this segment involves installing and connecting water laterals between individual homes and the new distribution line in Maunalaha Road. The existing waterline on Maunalaha Road will be abandoned once water service is transferred to the new main (Exhibit 7).

Water meters for individual homes will be placed along Maunalaha Road. Existing meters that are located outside of the right-of-way will be relocated. This will involve reconnecting the individual water laterals within State property. The entire project will be completed in four phases; the Conservation District portion of Maunalaha Road will be completed in the third and fourth phase. After each phase of installation is completed, the waterlines will be disinfected with a chlorine solution after being hydrostatically tested and checked for leaks. All hydrotesting, preflushing, and chlorination will be undertaken using potable water. The effluent will be trucked away and disposed of at permitted facilities.

The proposed water system improvements shall occur in areas that have been previously disturbed or cleared. The majority of construction is limited to the existing roadway and existing residence installations. On-site monitoring shall be conducted during ground disturbance activities along Maunalaha Road. A section of Maunalaha Road that the area residents have deemed sensitive shall undergo an alternation monitoring methodology involving additional archaeological monitors, slow mechanical excavation, archaeological excavation in the open trench and increased observation of excavated material.

The roadway will be resurfaced. No trees are planned for removal. The improvements are proposed to increase public health, safety and welfare through increase fire protection, ensure service of potable water and road resurfacing after waterlines have been replaced.

SUMMARY OF COMMENTS

The application was referred to the following agencies for their review and comment: the State: Department of Land & Natural Resources-Oahu District Land Office and Historic

Preservation Division; the Office of Hawaiian Affairs; the Department of Transportation, Highways Division; the Department of Health-Environmental Planning Office and the Office of Environmental Quality Control; and the City and County of Honolulu, Department of Planning and Permitting.

Responses were received and have been summarized from the following agencies:

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

Oahu District Land Office

The City and County own the Maunalaha Road by HRS 264-1,2¹.

Applicant's Response

According to the *Street Index, Island of Oahu* (C&C Honolulu, 1996), Maunalaha Road falls under the city's jurisdiction.

DEPARTMENT OF TRANSPORTATION

Highways Division

Since Maunalaha Road is a State road, the existing waterline is subject to the state Department of Transportation's (DOT) underground pipeline policy. In order for the existing waterline to remain in place, a waiver claim will need to be submitted by the applicant and then approved by the State DOT in order to comply with the underground pipeline policy.

Applicant's Response

According to the *Street Index, Island of Oahu* (C&C Honolulu, 1996), Maunalaha Road falls under the city's jurisdiction. Upon consulting with the Highways Division, Maunalaha Road is not a DOT-owned road, and therefore, DOT's policy would not apply.

OFFICE OF HAWAIIAN AFFAIRS

We will rely on the applicant's assurances that should iwi kupuna or Native Hawaiian cultural or traditional deposits be found during project activities, work will cease, and the

¹ §264-1, HRS notes two types of public highways (1) State highways which are all those under the jurisdiction of the department of transportation; and (2) county highways, which are all other public highways. §264-2, HRS notes the ownership of all public highways shall be in the government herein meaning the State with reference to state highways and means the respective counties with reference to county highways.

appropriate agencies will be contacted pursuant to applicable law.

Native Hawaiian traditional and customary gathering, access, and use rights are not anticipated to be disturbed, they should not be restricted-even during the construction process-except as necessary to ensure safety. If such safety-related restrictions are put in place, alternate access routes must be provided.

Applicant's Response

In addition to archaeological monitoring during all ground-disturbing activities, Native Hawaiian traditional and customary gathering, access, and use rights will not be restricted, except as necessary to ensure safety. If such safety-related restrictions are put in place, alternate access routes will be provided.

CITY AND COUNTY OF HONOLULU

Department of Planning and Permitting

The proposed project area is not within the Special Management Area.

ANALYSIS

After reviewing the application, by correspondence dated April 7, 2008, the Department has found that:

1. The proposed use is an identified land use in the Conservation District, according to Section 13-5-22, Hawaii Administrative Rules (HAR), P-9, STRUCTURES, EXISTING, C-1; "Demolition, removal, or alteration of existing structures, facilities and equipment. Any historical property shall be evaluated by the department for historical significance." Please be advised, however, that this finding does not constitute approval of the proposal;
2. A public hearing will not be required pursuant to HAR, Section 13-5-40; and
3. The Department has determined that the proposed project is exempt from an Environmental Assessment in conformance with Chapter 343, Hawaii Revised Statutes (HRS), as amended, and HAR, Title 11, Department of Health, Chapter 200, Environmental Impact Statement Rules.

Notice of this CDUA was published in the April 23, 2008 publication of the Office of Environmental Quality Control's Environmental Notice.

CONSERVATION CRITERIA

The following discussion evaluates the merits of the proposed land use by applying the criteria established in Section 13-5-30, HAR.

1. *The proposed land use is consistent with the purpose of the Conservation District.*

The purpose of the conservation district is to conserve, protect, and preserve the important natural resources of the State through appropriate management and use to promote their long-term sustainability and the public health, safety, and welfare.

The proposed land use already exists. Reconstruction of the existing system is necessary to increase public health, safety and welfare. Legislative funding was lobbied and received for the proposed improvements to address fire protection concerns. The improvements will help to ensure the continued flow of potable water to Maunala Home site residents.

2. *The proposed land use is consistent with the objectives of the subzone of the land on which the use will occur.*

The objective of the Resource subzone is to develop, with proper management, areas to ensure sustained use of the natural resources of those areas. The proposed replacement of the existing waterlines is an identified land use within the Resource subzone. The improvements will be located on approximately on the same site and serve the same purpose as the structure replaced.

3. *The proposed land use complies with provisions and guidelines contained in Chapter 205, HRS, entitled "Coastal Zone Management," where applicable.*

Staff believes the proposed project complies with provisions and guidelines contained in Chapter 205, HRS regarding Coastal Zone Management. The Special Management Area (SMA) regulatory provisions established in Chapter 205A, HRS are not applicable in this situation, as the proposed land use is not located within the SMA.

4. *The proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region.*

Staff believes the proposed land use will not cause substantial adverse impacts to existing natural resources within the surrounding area, community, or region. Staff believes that the proposed land use will have no or negligible overall impact to the natural resources of the area.

The proposed water system improvements will occur in areas that have been previously disturbed or cleared. Construction is limited to the public right-of-

ways that have been disturbed for roadway construction and installation of various utility lines, including the existing waterlines.

5. *The proposed land use, including buildings, structures and facilities, shall be compatible with the locality and surrounding area, appropriate to the physical conditions and capabilities of the specific parcel or parcels.*

Staff believes the proposed improvements are compatible with the locality and surrounding area and appropriate to the physical conditions and capabilities of the parcel. The improvements are within the existing footprint that has been previously disturbed for the existing waterlines.

6. *The existing physical and environmental aspect of the land, such as natural beauty and open space characteristics, will be preserved or improved upon, which ever is applicable.*

The utilization of areas within the existing footprint helps to maintain open space. There are no environmentally unique characteristics associated with the project site. There will be short-term visual impacts during construction, while excavation and waterline installation take place. There will be little visual evidence of the completed project.

7. *Subdivision of the land will not be utilized to increase the intensity of land uses in the Conservation District.*

There will be no subdivision of land.

8. *The proposed land use will not be materially detrimental to the public health, safety and welfare.*

Staff believes that on a short-term basis, public health will not be substantially affected by the proposed project with the exception of noise and dust generated during construction. Over the long-term, the proposed action will increase public health safety and welfare by ensuring the continual flow of potable water and by providing fire suppression capacity to the area.

DISCUSSION

The water system improvements are necessary to replace the aged waterlines to ensure the continued flow of potable water to Maunaloa Homesite residents and to provide fire suppression capacity to the residential area. This is a replacement project for an existing land use. As a public project, the project must comply with all appropriate governmental requirements relative to environmental and public health concerns during the construction and implementation phases. Staff believes upon completion of the proposed improvements within the existing roadway there will be minimal effects upon the

landscape. The pre-existing qualities of the area along the waterline corridor shall be the same.

The State Historic Preservation Division has reviewed and accepted an Archaeological Monitoring Plan for the project. On-site monitoring shall be conducted during ground disturbance activities along Maunalaha Road. A section of Maunalaha Road that the area residents have deemed sensitive shall undergo an alternation monitoring methodology involving additional archaeological monitors, slow mechanical excavation, archaeological excavation in the open trench and increased observation of excavated material.

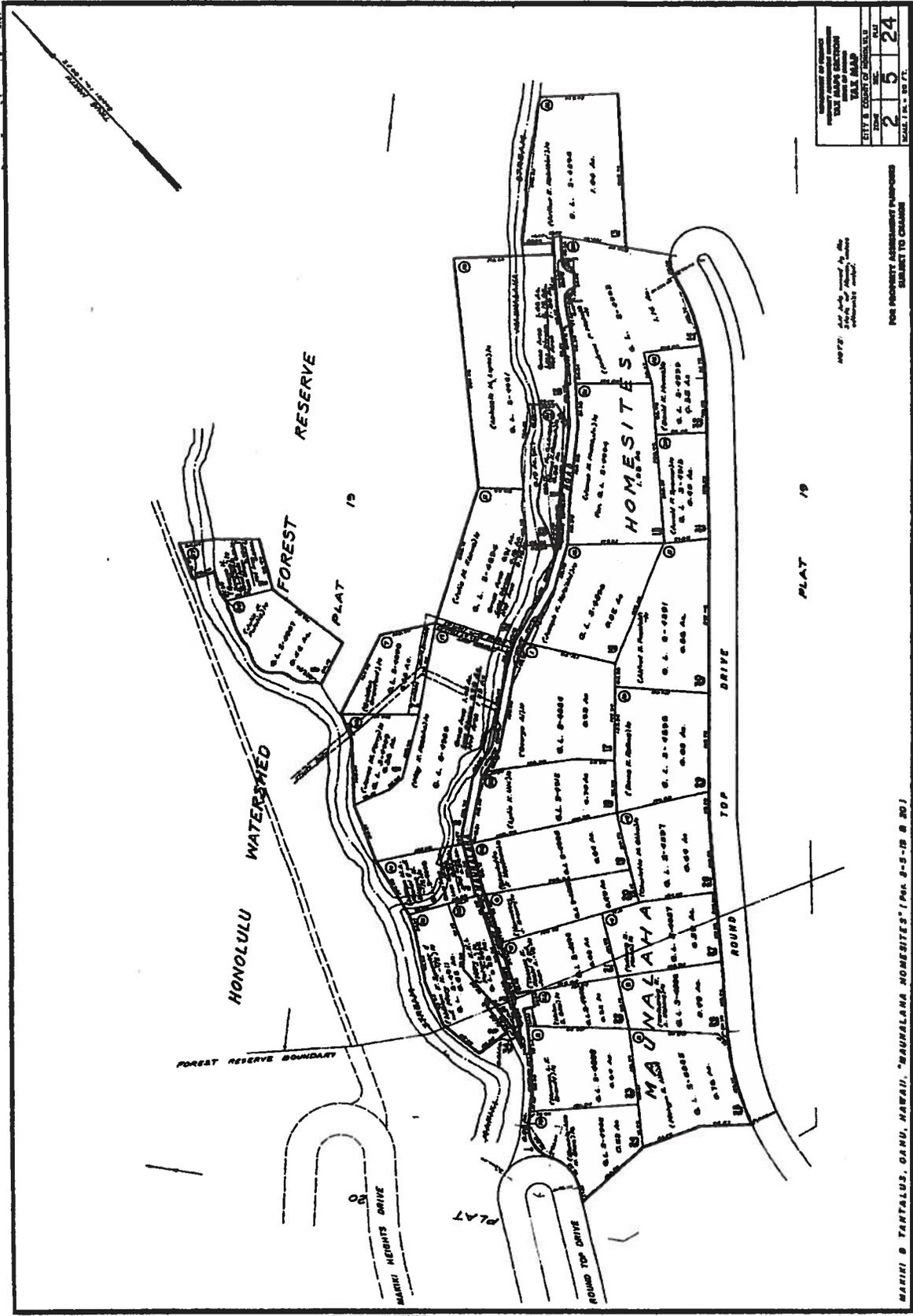
The water system improvements are necessary to increase public health, safety and welfare within the residential area. Legislative funding was lobbied and received for the proposed improvements to address fire protection concerns. The proposal shall also improve water pressure and ensure the availability of water to the Maunalaha community.

RECOMMENDATION

Based on the preceding analysis, Staff recommends that the Chairperson of Land and Natural Resources APPROVE this application for the Maunalaha Homesite Water System Improvements located along and within Maunalaha Road, Makiki/Tantalus, Oahu, TMK: (1) 2-5-024:001 subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, regulations, and conditions of the Federal, State, and County governments, and applicable parts of the Hawaii Administrative Rules, Chapter 13-5;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim or demand for property damage, personal injury or death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall obtain a land disposition from the Land Division for the improvements cited on State lands;
4. The applicant shall comply with all applicable Department of Health administrative rules. Particular attention should be paid to Hawaii Administrative Rules (HAR) Section 11-60.1-33, "Fugitive Dust" and to Chapter 11-46, "Community Noise Control" if applicable;
5. Before proceeding with any work authorized by the Department, the applicant shall submit four (4) copies of the construction and grading plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three (3) of the copies will be returned to the applicant. Plan

- approval by the Chairperson does not constitute approval required from other agencies;
6. Any work done or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the Chairperson, and, unless otherwise authorized, shall be completed within three (3) years of the approval. The applicant shall notify the Department in writing when construction activity is initiated and when it is completed;
 7. All representations relative to mitigation set forth in the accepted application for the proposed use are incorporated as conditions of the permit;
 8. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
 9. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
 10. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take the measures to minimize or eliminate the interference, nuisance, harm, or hazard;
 11. Cleared areas shall be revegetated within thirty (30) days unless otherwise provided for in a plan on file with and approved with the department;
 12. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
 13. The applicant shall comply with the State Historic Preservation Division approved Archaeological Monitoring Plan for the project;
 14. Should historic remains such as artifacts, burials or concentration of charcoal be encountered during construction activities, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact the Historic Preservation Division and State Parks archeologists, which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
 15. Other terms and conditions as may be prescribed by the Chairperson; and



CITY OF HONOLULU			
PLAT MAP			
BOOK	SHEET	DATE	BY
2	5	24	
SCALE: 1" = 50' FT.			

NOTE: All lots shown on this plat map are subject to the provisions of the applicable laws.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

MARINI B TARTALUS, OAHU, HAWAII, "MAURALANA HOMESITES" (PLAT 8-5-B & 30)

EXHIBIT 2



LEGEND

-  Project Site
-  TMK Parcel Boundary

State Land Use Districts

-  Conservation District
-  Urban District

Conservation District Subzones

-  Conservation District Resource Subzone

Source: The State of Hawaii GIS Database

EXHIBIT 3

State Land Use Districts

**MAUNALAHA HOMESITES
WATER SYSTEMS IMPROVEMENTS**

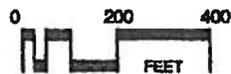


EXHIBIT 4

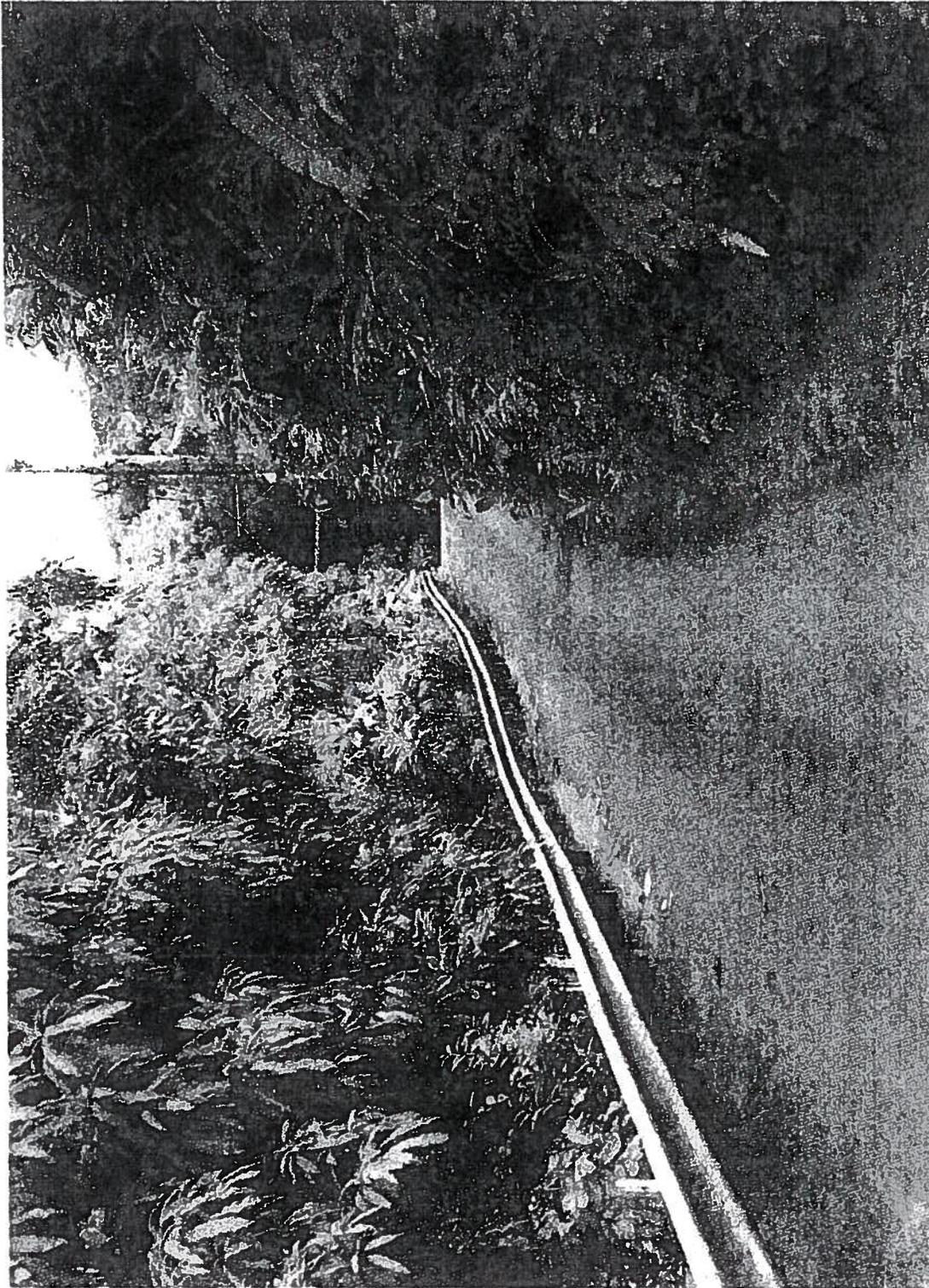


The beginning of Maunalaha Road, looking in the mauka direction. The roadway is narrow and heavily vegetated on both sides. Utility poles and overhead lines are placed alongside the roadway.

EXHIBIT 4

Site Photos - Maunalaha Road (Makai Section)

MAUNALAHA HOMESITES WATER SYSTEM IMPROVEMENTS



Looking in the mauka direction on Maunalaha Road. Thick vegetation grows on both sides of the roadway and a guard rail runs along portions of the street. The asphalt-paved roadway has no curbs or storm drains.

EXHIBIT 5

Site Photos - Maunalaha Road (Middle Section)

**MAUNALAHA HOMESITES
WATER SYSTEM IMPROVEMENTS**



Near the end of Maunalaha Road, looking in the mauka direction. The roadway is in a state of disrepair and its condition deteriorates the further one travels into the valley.

EXHIBIT 6

Site Photo - Maunalaha Road (Mauka Section)

MAUNALAHA HOMESITES
WATER SYSTEM IMPROVEMENTS

EXHIBIT 6



EXIST. 1-1/4" MAIN
TO BE ABANDONED
ONCE SERVICES ARE
TRANSFERRED TO THE
NEW MAIN

CONNECTION TO THE
EXISTING 4" MAIN

8" DI

4" DI

8" DI

MAUNALAHA RD
ROUND TOP DR

EXHIBIT 7

BOARD OF WATER SUPPLY
CITY AND COUNTY OF HONOLULU

EXHIBIT 7

MAUNALAHA HOMESITES
WATER SYSTEM IMPROVEMENTS

EXISTING WATERLINES

Not To Scale

Conservation Notice

April 23, 2008

Conservation District Use Permit

Persons interested in commenting on the following Conservation District Use Application (Board Permit) must submit comments to the Department of Land and Natural Resources within thirty days from the date of this notice. Comments may be sent to the Office of Conservation and Coastal Lands, P.O. Box 621, Honolulu, Hawai'i 96809. For more information, please contact Tiger Mills of our Office of Conservation and Coastal Lands staff at 587-0382.

Maunalaha Homesites, Water Systems Improvements, Makiki & Tantalus, O'ahu

File No.: CDUA OA-3463
Applicant: City & County of Honolulu, Board of Water Supply
Location: Round Top Drive and Maunalaha Road, Island of O'ahu

TMK: (1)2-5-024-001
Proposed Action: Water System Improvements
343, HRS determination: No Significant Impact
Applicant's Contact: Michael Domion, (808 748-5743)

Federal Notices

Notice of Inventory Completion of Native American Remains at Oregon State University, Department of Anthropology in Corvallis

The U.S. Department of the Interior, National Park Service (NPS) has given notice in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), of the completion of an inventory of human remains in the control of Oregon State University, Department of Anthropology, Corvallis, Oregon. The human remains were removed from an unknown location in Hawai'i. This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice. A detailed assessment of the human remains was made by Oregon State University, Department of Anthropology professional staff in consultation with representatives of the Office of Hawaiian Affairs. On an unknown date, human remains representing a minimum of three individuals were removed from an unknown location in Hawai'i. The human remains were donated to the Department of Anthropology by Dr. T. Tillman of the Oregon State University Physical Education Department upon his retirement (H0001-086-001, H0001-077-001, and H0001-081-0001). Dr. Tillman received the skulls from the widow of an unknown collector between 1940 and 1978. No known individuals were identified. No associated funerary objects are present. The collection records state that all three individuals are "Indian." The Department of Anthropology's physical anthropology faculty confirms that all three skulls have cranial morphology consistent with Native Hawaiian ancestry. According to collection records and consultation, the human remains were removed from locations in the traditional and current territory of Native Hawaiian organizations. Consultation with the Office of Hawaiian Affairs supports the origins of these three individuals from the Hawaiian Islands. Officials of the Oregon State University, Department of Anthropology have determined that, pursuant to 25 U.S.C. 3001(9-

10), the human remains described above represent the physical remains of three individuals of Native Hawaiian ancestry. Officials of the Oregon State University, Department of Anthropology have determined that, pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native Hawaiian human remains and the Hui Malama I Na Kupuna O Hawai'i Nei and Office of Hawaiian Affairs. Representatives of any other Native Hawaiian Organization that believes itself to be culturally affiliated with the human remains should contact Dr. David McMurray, Oregon State University Department of Anthropology, 238 Waldo Hall, Corvallis, OR 97331, telephone (541) 737-4515, before May 19, 2008. Repatriation of the human remains to the Office of Hawaiian Affairs may proceed after that date if no additional claimants come forward. Oregon State University, Department of Anthropology is responsible for notifying the Hawai'i Island Burial Council; Hui Malama I Na Kupuna O Hawai'i Nei; Kaaui/Ni'ihau Island Burial Council; Maui/Lana'i Island Burial Council; Moloka'i Island Burial Council; O'ahu Burial Committee, and the Office of Hawaiian Affairs that this notice has been published (see, 73 F.R. 20943, April 17, 2008).

Endangered Species Permit Amendment Application

The U.S. Fish and Wildlife Service (FWS), invites the public to comment on the following application to amend an existing permit to conduct certain activities with endangered species. FWS must receive written data or comments by May 12, 2008.

Permit No.: TE-003483.
Applicant: U.S. Geological Survey, Biological Resources Discipline, Pacific Islands Ecosystem Research Center.

The applicant requests an amendment to an existing permit to take (capture, attach satellite radio transmitters, collect blood samples, and release) the Hawaiian goose (*Branta sandvicensis*) in conjunction with research on the Island of Hawai'i in the State