

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

June 12, 2015

PSF No. 15OD-056

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

Oahu

Grant of Perpetual, Non-Exclusive Easement for Water Meter Purposes; and Issuance of a Management Right-of-Entry to the City and County of Honolulu, Board of Water Supply, Kewalo-Kai, Honolulu, Oahu, Tax Map Key (1) 2-3-009:001(portion).

APPLICANT:

City and County of Honolulu, Board of Water Supply

LEGAL REFERENCE:

Section 171-95 and 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kewalo-Kai, Honolulu, Oahu, identified by Tax Map Key: (1) 2-3-009:001(portion), as shown on the attached map labeled **Exhibit 1**.

AREA:

150 square feet, more or less.

ZONING:

State Land Use District: Urban

City and County of Honolulu Kakaako Community Development District

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 101 setting aside the land for the McKinley High School site.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove a water meter over and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, that states "Construction and location of single, new, small equipment and facilities and the alteration and modification of same, including, but not limited to: water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements." See **Exhibit 2**.

DCCA VERIFICATION:

Not applicable.

APPLICANT REQUIREMENTS:

None

REMARKS:

The City and County of Honolulu, Board of Water Supply requests the Board's approval for the granting of a perpetual, non-exclusive water meter easement and for the issuance of a right-of-entry permit for a finished water meter, including maintenance purposes over State land. The easement area has been designated as "Easement W-1". "Easement W-1" consists of approximately one hundred fifty (150) square feet and is located along Pensacola Street in Honolulu. The approximate location of "Easement W-1" is delineated on **Exhibit 1**.

The location of the requested water meter easement is situated upon a site encumbered by Governor's Executive Order No. 101 setting aside approximately 46.0 acres of State lands for use by McKinley High School.

The following State and City agencies have no objections to the subject request: the Department of Facilities Maintenance, Department of Parks and Recreation, Department of Education, Board of Water Supply, Department of Transportation-Highways, Department of Permitting and Planning, and the Department of Hawaiian Homelands.

At the time of the writing of this report, a number of governmental agencies have not responded to staff's requests for their comments regarding the subject request. They are as follows: the Department of Health-Environmental Planning, State Historic Preservation Division, Commission on Water Resource Management and the Office of Hawaiian Affairs.

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

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. Authorize the issuance of a perpetual, non-exclusive easement to the City and County of Honolulu, Board of Water Supply covering the subject area for water meter 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

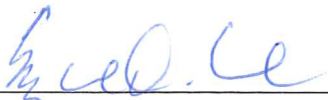
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Issuance of a management right-of-entry permit to the City and County of Honolulu, Board of Water Supply covering the subject area for water meter purposes under the terms and conditions 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 management right-of-entry permit document form, as may be amended from time to time;
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,




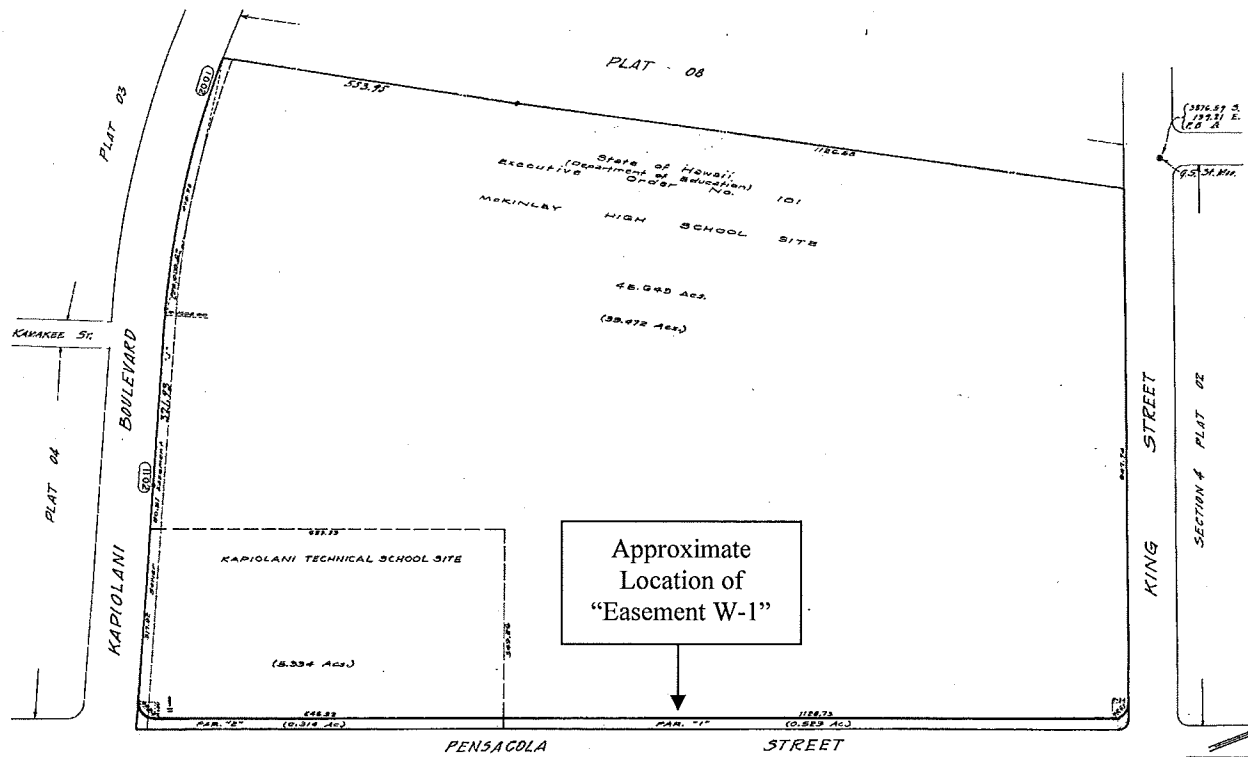
Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





TAX MAP KEY: (1) 2-3-009:001 PORTION

EXHIBIT 1

EXEMPTION NOTIFICATION

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

Project Title: Request to Grant a Perpetual, Non-Exclusive Easement for Water Meter Purposes and the Issuance of a Management Right-of-Entry to the City and County of Honolulu, Board of Water Supply, Kewalo-Kai, Honolulu, Oahu, Tax Map Key (1) 2-3-009:001(portion).

Project / Reference No.: PSF 15OD-056

Project Location: Kewalo-Kai, Honolulu, Oahu, Tax Map Key: (1) 2-3-009:001(portion)

Project Description: Grant of a Perpetual, Non-Exclusive Easement for Water Meter Purposes and the Issuance of a Management Right-of-Entry to the Board of Water Supply

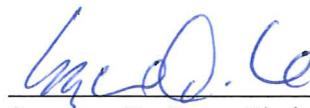
Chapter 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, that states "Construction and location of single, new, small equipment and facilities and the alteration and modification of same, including, but not limited to: water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences; and, acquisition of utility easements."

The City and County of Honolulu, Board of Water Supply requests the Board's approval for the granting of a perpetual, non-exclusive water meter easement and for the issuance of a right-of-entry permit for water meter and maintenance purposes over State land. A minimal impact upon the subject environment is anticipated and as such, the subject request is presumed to be exempt from the preparation of an environmental assessment.

Consulted Parties: Agencies as noted in the submittal.

Recommendation: It is anticipated 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.



Suzanne D. Case, Chairperson

Date: 6/2/15

EXHIBIT 2