

DAVID Y. IGE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

FORD N. FUCHIGAMI
DIRECTOR

Deputy Directors
JADE T. BUTAY
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

IN REPLY REFER TO:

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

ISSUANCE OF A REVOCABLE PERMIT FOR A TOWER TO TRANSMIT
SIGNALS FOR CABLE TELEVISION, EMERGENCY ALERT INFORMATION
AND WIFI INTERNET SERVICING THE HANA COMMUNITY
OCEANIC TIME WARNER CABLE LLC
HANA AIRPORT
TAX MAP KEY: (2)-1-3-03-037

MAUI

REQUEST:

Issuance of a revocable permit to Oceanic Time Warner Cable LLC for a tower to transmit signals for its cable television, emergency alert information and WIFI internet servicing the Hana community at Hana Airport (HNM).

APPLICANT:

Oceanic Time Warner Cable LLC (OTW) whose business address is
90 Columbus Circle, New York, New York, 10023

LEGAL REFERENCE:

Section 171-11 and 171-55, Hawaii Revised Statutes

LOCATION AND TAX MAP KEY:

HNM, Island of Maui, identified by Tax Map Key: 2nd Division, 2-1-3-03-037

AREA:

Area/Space No. 001-101, containing an area of 225 square feet as delineated on the attached Exhibit "A".

ZONING:

State Land Use District: Agricultural
County of Maui: Interim

ITEM M-10

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LAND TITLE STATUS:

Section 5(a), Hawaii Admissions Act: (Ceded Land)
DHHL, 30% entitlement lands: Yes _____ No X

CURRENT USE STATUS:

Non-aeronautical

CHARACTER OF USE

A tower to transmit signals for cable television, emergency alert information and WIFI internet to the Hana community.

COMMENCEMENT DATE:

Upon complete execution of the revocable permit

MONTHLY RENT:

\$18.75

SECURITY DEPOSIT:

\$56.25

HOLDOVER TENANCY:

\$0.63

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO _____
Registered business name confirmed:	YES <u>X</u>	NO _____
Good standing confirmed:	YES <u>X</u>	NO _____

CHAPTER 343, HRS-ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8(a), Environmental Impact Statement Rules of the Department of Health, State of Hawaii, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or environmental impact statement as required by Chapter 343, Hawaii Revised Statutes, as amended, relating to Environmental Impact Statements, because the proposed action falls within Exemption Class #1, Comprehensive Exemption List for the State of Hawaii, Department of Transportation, dated November 15, 2000, as approved by the Environmental

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Quality Council. Exemption Class #1 covers 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.

REMARKS:

OTW is the Permittee under Revocable Permit S-7194 (RP S-7194) dated June 1, 1999. RP S-7194 was issued by the State Department of Land and Natural Resources (DLNR) and covers Tax Map Key 1-3-003-037 (Property). Currently, on the Property, there is a permitted tower that transmits signals for the provision of emergency alert information, cable TV, and WIFI internet to the community of Hana, Maui, Hawaii. The Property, however, is under the control of the DOT, Airports Division (DOTA) under Governor's Executive Order No. 2992. It is not clear why the DLNR issued RP S-7194 and its renewal, and multiple other previous permits and renewals relating to the Property. In the future, OTW plans to expand the tower. In its discussions with representatives of the DLNR, the representatives recommended this disposition be transferred over to the DOT since the property is under the physical control of the DOTA.

In light of OTW's request and recommendation from representatives of the DLNR, the DOT has no objections and therefore, in accordance with Sections 171-11 and 171-55, HRS, relating to Public Purposes and Permits respectively, the DOT proposes to issue a month-to-month revocable permit to OTW, Area/Space No. 001-101 for a tower to transmit signals for its cable television, emergency alert information and WIFI internet to the Hana community at HNM.

RECOMMENDATION:

That the Board approve the issuance of a revocable permit to OTW subject to: (1) the terms and conditions hereinabove outlined, and (2) such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,

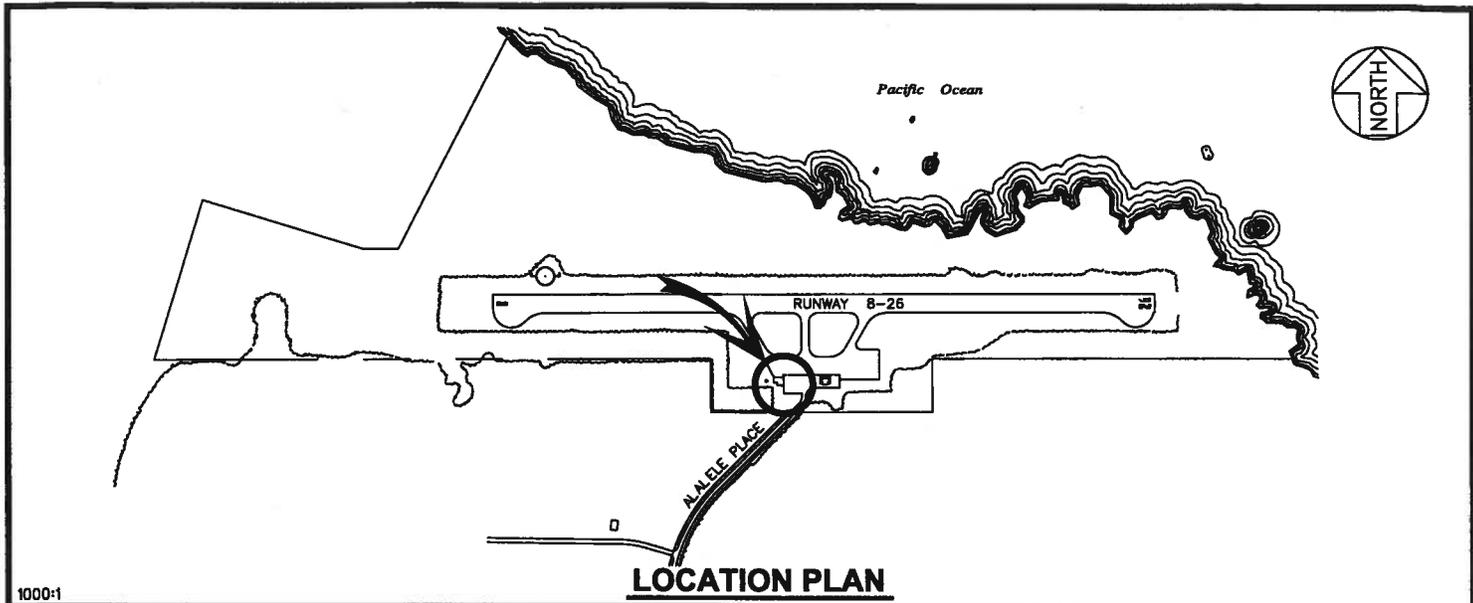


FORD N. FUCHIGAMI
Director of Transportation

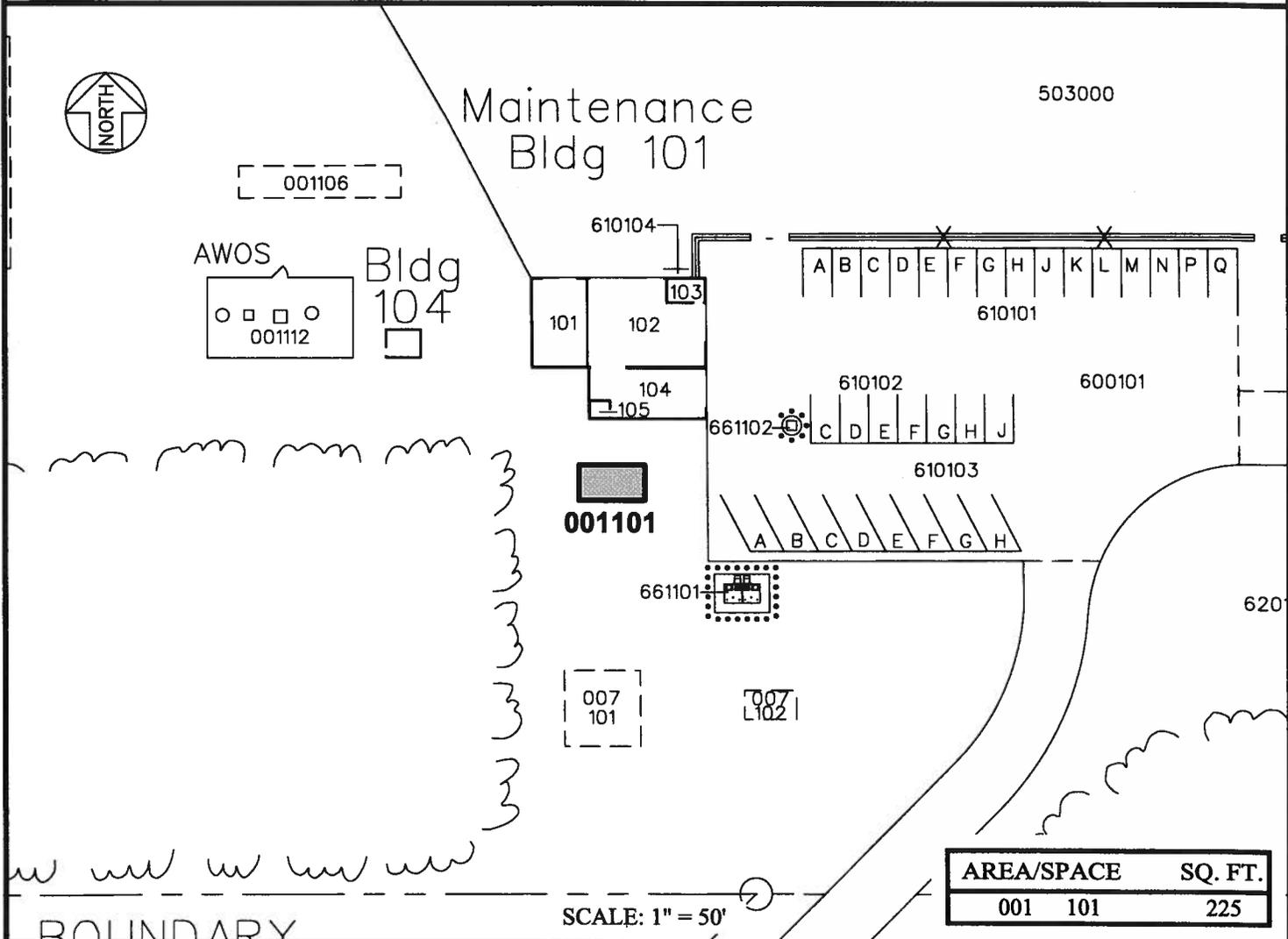
APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



1000-1



RP-8387 DATE : JULY 2015 EXHIBIT: **A**



OCEANIC TIME
WARNER CABLE LLC

LOT

001101
PLAT A1, 33

HANA AIRPORT

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