

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

February 12, 2016

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

OAHU

Issuance of Right-of-Entry Permit to Hawaiian Electric Company, Inc. for Surveying, Soils Testing and Engineering Studies Purposes on Lands Encumbered by Governor's Executive Orders 569, 2036, and 2539, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-7-036:001 and 007

APPLICANT:

Hawaiian Electric Company, Inc. a domestic corporation.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-7-036:001 and 007, as shown on the maps attached as **Exhibit A1** to **A3**.

ZONING:

State Land Use District: Urban

City and County of Honolulu LUO: P-2

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:

(1) 2-7-036:001

Encumbered by Governor's Executive Orders No. 569 and 2036 to the City and County of Honolulu for park purposes; and

(1) 2-7-036:007

Encumbered by Governor's Executive Order No. 2539 to Department of Education for education purposes.

CHARACTER OF USE:

Surveying, Soils Testing and Engineering Studies Purposes

TERM OF RIGHT-OF-ENTRY:

June 30, 2016, or the completion of the project, whichever is the earlier.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request for issuance for right-of-entry is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, item 1. See **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>  x  </u>	NO <u>  </u>
Registered business name confirmed:	YES <u>  x  </u>	NO <u>  </u>
Applicant in good standing confirmed:	YES <u>  x  </u>	NO <u>  </u>

REMARKS:

Relating to the Ala Wai Canal dredging project and the relocation of the existing cable in the canal, Applicant requests for a right-of-entry for surveying and testing purposes over portions of State lands set aside to the City and County of Honolulu and the Department of Education.

Around October 2015, the Chairperson authorized the issuance of a right-of-entry permit for similar purpose over portions of the Ala Wai Canal. The permit will expire in June 2016. Subsequently, Applicant obtained agreement from the Department of Parks and

Recreation and the Department of Education regarding the expansion of the study area over the subject parcels [not the canal] managed by these two agencies. Today's request pertains to the additional area.

Further, staff recommends the Board authorize the Chairperson to extend the right-of-entry period for good cause, e.g. weather.

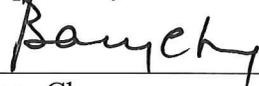
Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions. There are no other pertinent issues or concerns.

There are no other pertinent issues or concerns. Staff has no objection to the request.

RECOMMENDATION: That the Board

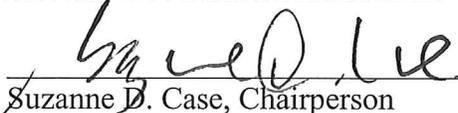
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Hawaiian Electric Company, Inc. covering the subject area 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 right-of-entry permit 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; and
  - C. Authorize the Chairperson to extend the right-of-entry to the Applicant for good cause.

Respectfully Submitted,



Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

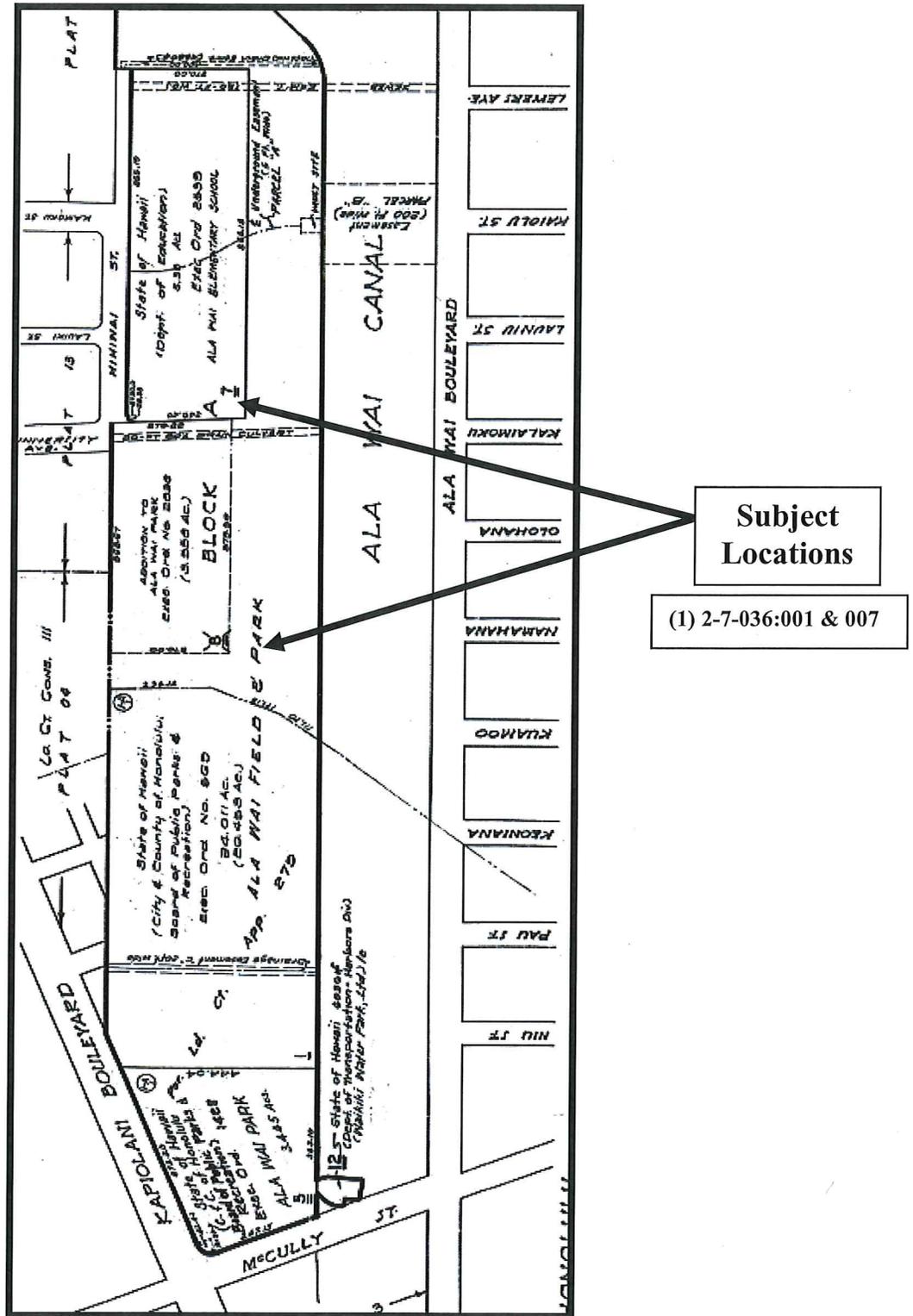
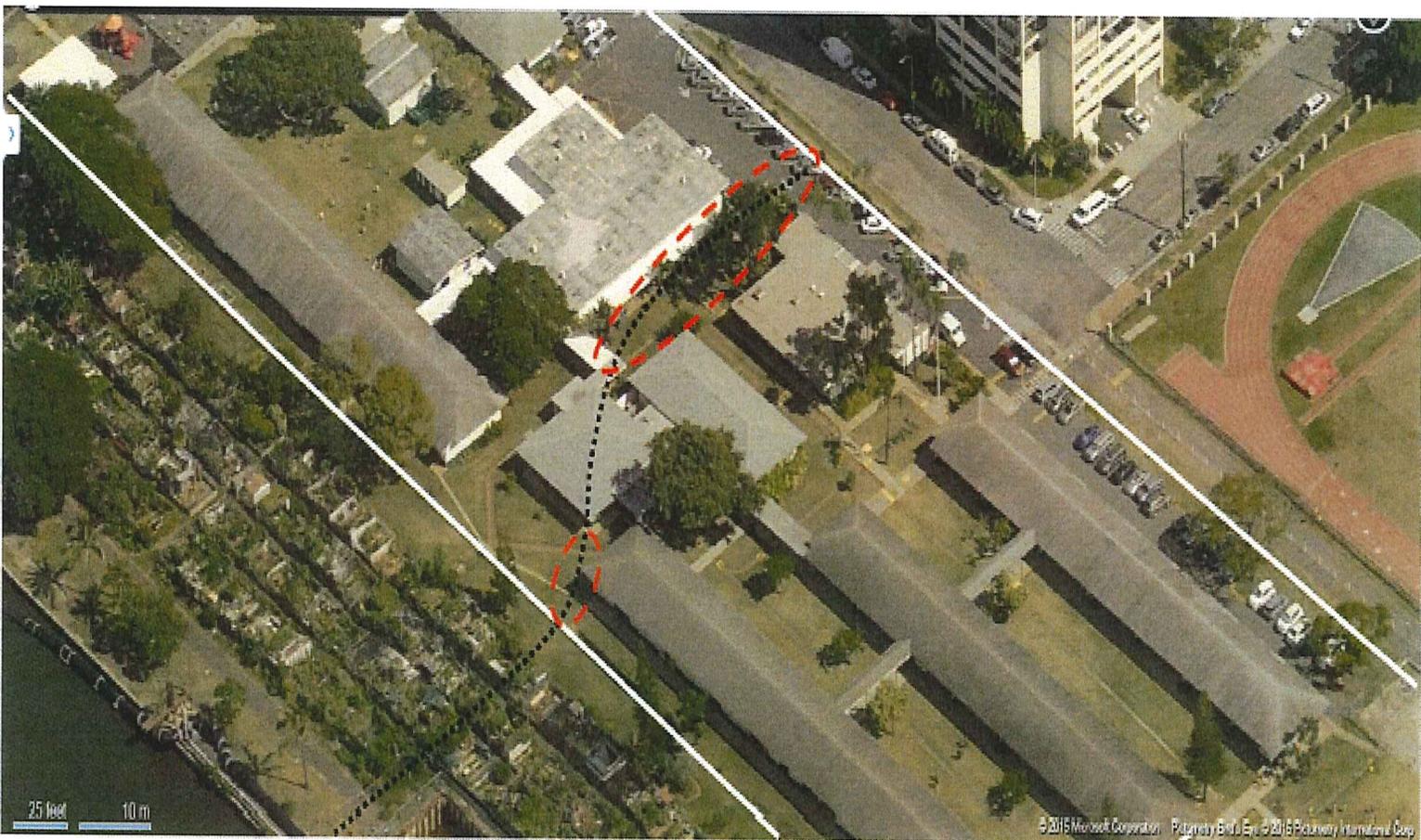


EXHIBIT A1



Aerial View of Ala Wai Neighborhood Park Showing Engineering Right of Entry Areas in Red

**EXHIBIT A2**



**Aerial View of Ala Wai Elementary School Showing Engineering Right of Entry Areas in Red**

**EXHIBIT A3**

**EXEMPTION NOTIFICATION**

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

Project Title: Issuance of Right-of-Entry Permit for Surveying, Soils Testing and Engineering Studies Purposes

Project / Reference No.: Not applicable

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-7-036:001 and 007

Project Description: Surveying, Soils Testing and Engineering Studies Purposes

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

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request for issuance for right-of-entry is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, Item 1 that states "Conduct surveys or collect data on existing environmental conditions (e.g. noise, air quality, water flow, water quality, etc.)".

Staff does not expect there will be major alteration in the conditions of the land, water or vegetation at the location resulted from the proposed survey.

Consulted Parties Not applicable

Recommendation: That the Board find 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: JAN 29 2016

**EXHIBIT B**