

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

May 27, 2016

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

PSF No.:16OD-062

OAHU

Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes, Issuance of Construction Right-of-Entry Permit; Wahiawa, and Ewa, Oahu, Tax Map Key: (1) 7-6-001:portion of 006, (1) 7-7-001:portion of 002, and (1) 9-4-012:portion of 011.

APPLICANT:

Hawaiian Electric Company, Inc., (HECO) a domestic profit corporation.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waianae-Uka situated at Wahiawa, Oahu and portion of Government lands of Pouhala Mauka situated at Waikele in Ewa, Oahu identified by Tax Map Key: (1) 7-6-001:portion of 006, (1) 7-7-001:002, and (1) 9-4-012:portion of 011 respectively, as shown on the map attached as **Exhibit A**.

AREA:

(1) 7-6-001:006      0.727 acres,  
(1) 7-7-001:002      0.027 acres; and  
(1) 9-4-012:011      1.780 acres, further subject to approval by the Department of Accounting and General Services, Survey Division.

STATE LAND USE CLASSIFICATION AND COUNTY ZONING:

(1) 7-6-001:006      Conservation/P-1  
(1) 7-7-001:002      Urban/F-1  
(1) 9-4-012:011      Urban/AG-1

TRUST LAND STATUS:

Section 5(e) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

(1) 7-6-001:006 is encumbered by Governor's Executive Order No. 3684 setting aside to Department of Land and Natural Resources, Division of State Parks for Wahiawa Freshwater State Park purposes.

(1) 7-7-001:002 is encumbered by Governor's Executive Order No. 3501 setting aside to Department of Education for Wheeler Elementary and Intermediate School purposes.

(1) 9-4-012:011 is encumbered by Perpetual, Non-Exclusive Easement for Sewer Purposes to the Department of the Navy (LOD 26443).

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove electrical transmission lines, poles, guy wires and anchors, including the right to trim and keep trimmed any trees in the way of its appliances and equipment.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by independent appraisal establishing fair market rent, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Impact Statement acceptance notice for the subject project was published in the OEQC's Environmental Notice on November 8, 2015.

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>

APPLICANT REQUIREMENTS: Applicant shall be required to:

1. Pay for an appraisal to determine one-time payment;
2. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
3. Process and obtain approval from the Department of Planning and Permitting for the designation of easement at Applicant's own cost;

REMARKS:

To provide improved energy security to the U.S. Army Garrison-Hawaii at Schofield Barracks, Wheeler Army Airfield, and Field Station Kunia and to provide new secure, firm, dispatchable, flexible and renewable energy generation to the grid on Oahu, HECO plans to build a generating station over U.S. Army land<sup>1</sup> on Schofield Barracks and Wheeler Army Airfield. New transmission line corridor will connect the proposed station and the existing Wahiawa substation owned by HECO.

Map attached as Exhibit B depicts the general layout of the project. Portions of the transmission lines are over lands managed by Agribusiness Development Corporation and Department of Transportation. HECO will approach the respective State agencies for the required authorization. Approval from the Board for the issuance of an easement over the subject public lands is required.

HECO also requests an immediate construction right-of-entry, which shall expire when the easement is issued.

Staff did not solicit comment from other agencies on the subject request since agencies were consulted during the environmental assessment stage.

There are no other pertinent issues or concerns, and staff has no objection to the request.

RECOMMENDATION: That the Board:

1. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Hawaiian Electric Company, Inc. covering the subject area for utility 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

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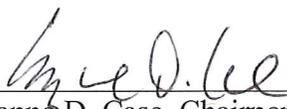
<sup>1</sup> HECO will obtain a lease from the U.S. Army for the new generating station site.

- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
2. Issuance of a construction right-of-entry permit to the Hawaiian Electric Company, Inc. covering the subject area for utility 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 right-of-entry document form, as may be amended from time to time; and
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

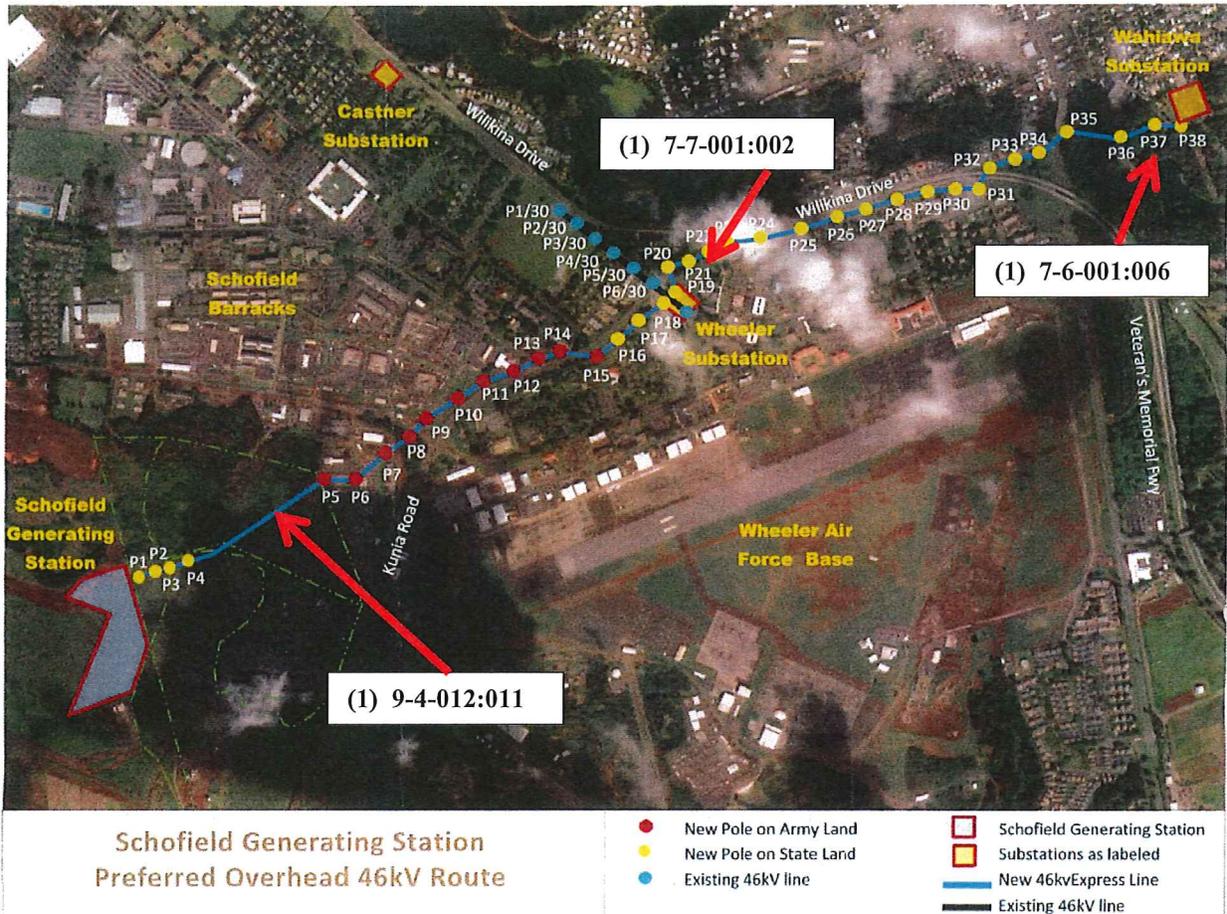
Respectfully Submitted,

  
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Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
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Suzanne D. Case, Chairperson





**TMK (1) 7-6-001:Portion of 006**  
**(1) 7-7-001:Portion of 002**  
**(1) 9-4-012:Portion of 011**

**EXHIBIT A**