

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

February 10, 2012

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

PSF No.: 110d-104

OAHU

Sale of Remnant to City and County of Honolulu, Waikiki, Honolulu, Oahu, Tax  
Map Key: (1) 2-6-008:adjacent to parcel 001.

APPLICANT:

City and County of Honolulu

LEGAL REFERENCE:

Section 171-52, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map  
Key: (1) 2-6-08:adjacent to 01, as shown on the attached map labeled **Exhibit A1 & A2.**

AREA:

8,272 square feet, more or less.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: Resort Mixed Use Precinct

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered.

CONSIDERATION:

Gratis. [Government agency]

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation." (See **Exhibit B**)

DCCA VERIFICATION:

Not applicable. [Government agency]

APPLICANT REQUIREMENTS:

None [Note: Applicant has provided survey maps and descriptions. Staff understands the City is in the process of conveying the subject remnant to the abutting private owner. Any consolidation of the subject remnant with the abutting private property shall be performed by then.]

REMARKS:

Pursuant to section 171-52, HRS, a remnant is defined as "a parcel of land economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics." The subject parcel has been determined to be a remnant by this definition for the following reasons:

- 1) The subject remnant is land acquired in 1895 by Land Office Deed 431 that is in excess of the needs for which the land was acquired;
- 2) The parcel is an abandoned strip of State land.

City is the owner of the adjoining Kalia Road and Paoa Place as staff has confirmed with the City's Department of Budget & Fiscal staff. Other abutting properties to the subject remnant parcel include (1) 2-6-008:001, owned by Hilton Hawaiian Village LLC (HHV). Staff understands that HHV is negotiating with the City regarding the purchase of the subject remnant and other parcels, if appropriate, from the City.

Staff recommends the subject remnant be sold as gratis since the City is a government entity

Department of Transportation has no objections/comments to the request. Office of Hawaiian Affairs and Department of Planning and Permitting have not responded as of the suspense date.

Board of Water Supply and Department of Facility Maintenance have provided their responses as **Exhibit C1** and **C2** respectively. Staff notes that the subject remnant is planned to be conveyed by the City to the abutting private owner. Therefore, staff believes that the City can address the issues raised by both agencies subsequently.

There are no other pertinent issues or concerns and staff does not have any objection to the request.

RECOMMENDATION: That the Board:

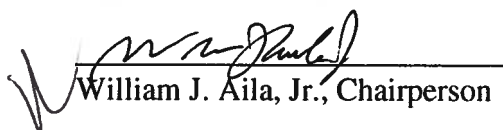
1. Find that the subject lands are economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics and, therefore, by definition is a remnant pursuant to Chapter 171, HRS.
2. Declare that, after considering 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.
3. Authorize the sale of the subject remnant to the City and County of Honolulu 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 deed or grant (remnant) 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,

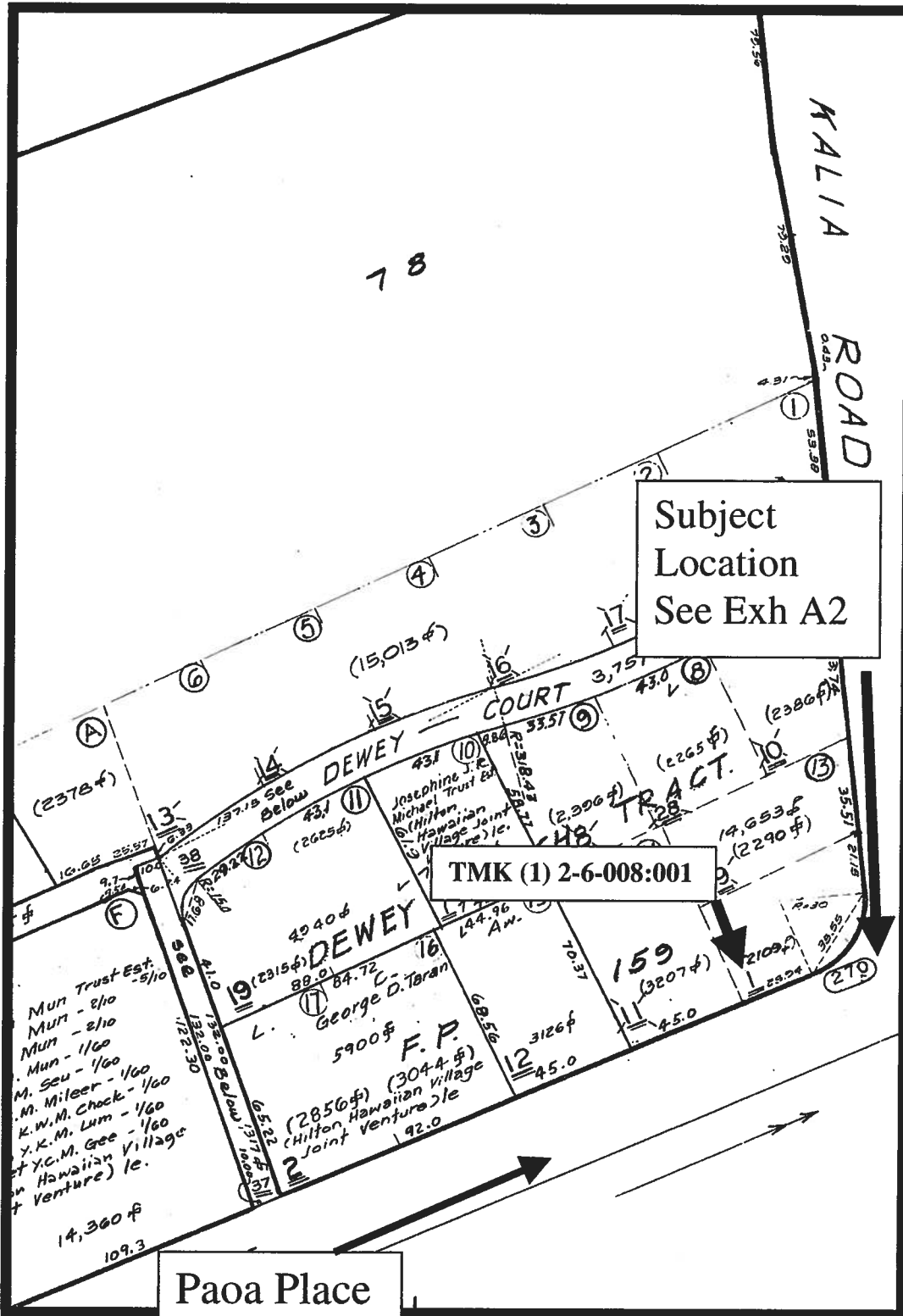


Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson



Subject  
Location  
See Exh A2

TMK (1) 2-6-008:001

Paoa Place

**EXHIBIT A1**

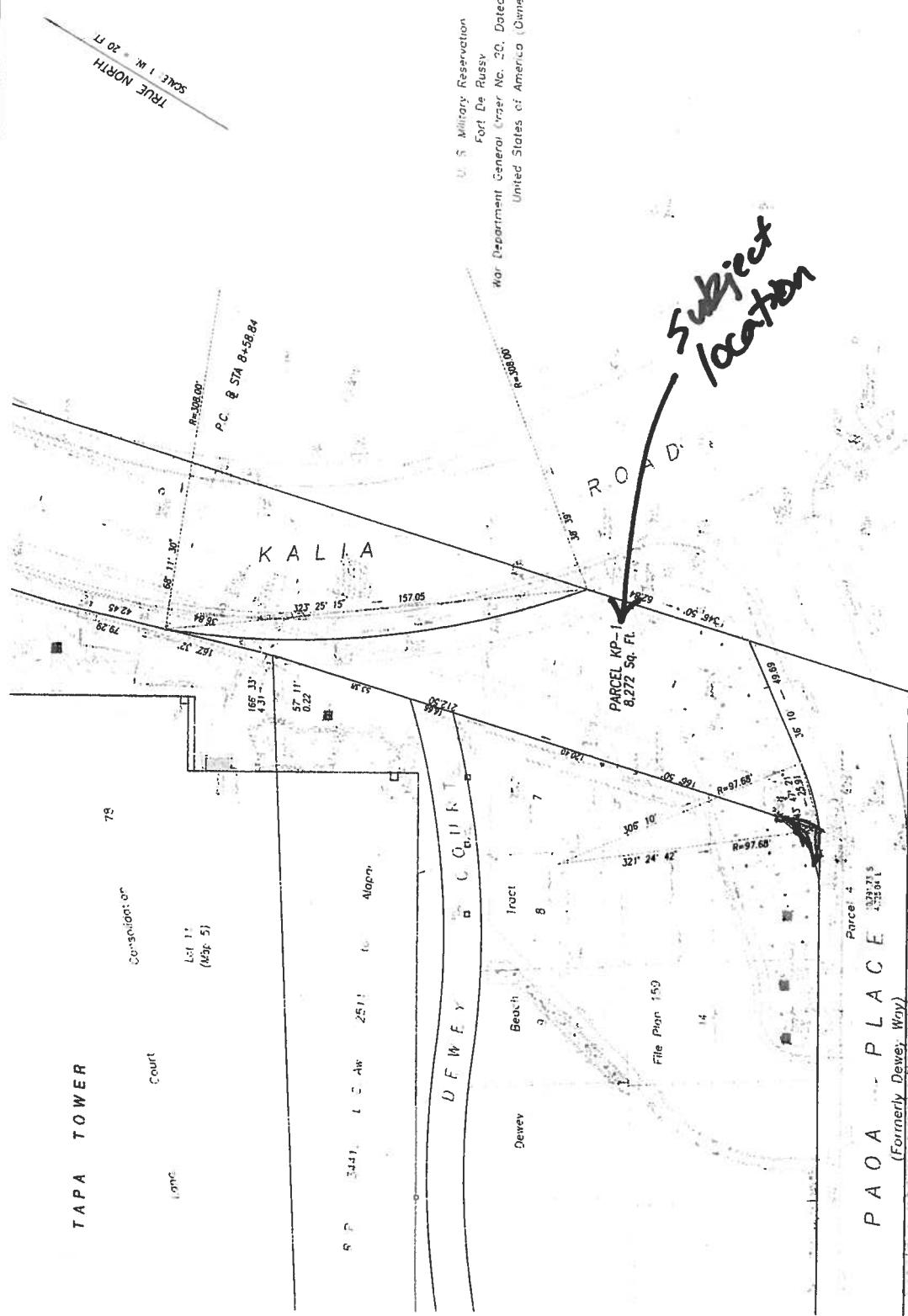
TRUE NORTH  
SCALE 1" = 20 FT

U. S. Military Reservation  
Fort De Russy  
War Department General Order No. 20, Dated May 26, 1916  
United States of America (Owner)



15.50  
2012  
William Alcon, Engineer  
License No. 1198  
Certificate Number 8291  
Last Court Certificate No. 303

Subject Location



MAP SHOWING REMNANT PARCEL KP-1  
AT KALIA, WAIKIKI, HONOLULU, OAHU, HAWAII

ALCON & ASSOCIATES, INC.  
ENGINEERS SURVEYORS  
710 Kalia Road, Honolulu, Hawaii 96819

EXHIBIT "A2"



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**EXEMPTION NOTIFICATION**

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

Project Title: Sale of Remnant

Project / Reference No.: PSF 110d-104

Project Location: Honolulu, Oahu, Tax Map Key: (1) 2-6-008:adjacent to 001

Project Description: Sale of Remnant

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

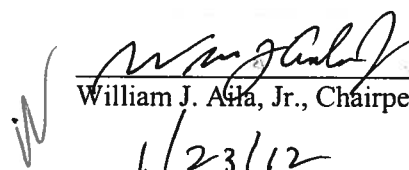
Exemption Class No.: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

Staff understands the subject remnant has been used as part of the roadway. The City and the abutting private owner are not planning to change the use of the subject remnant. Therefore it is recommended that the subject request be exempted from an environment assessment.

Consulted Parties Not applicable

Exemption Item Description from Agency Exemption List: Not applicable

Recommendation: It is recommended that the Board declare that 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.

  
 \_\_\_\_\_  
 William J. Aila, Jr., Chairperson  
 1/23/12  
 \_\_\_\_\_  
 Date

**EXHIBIT B**



111409

2011 DEC 22 A 11: 30



RECEIVED  
LAND DIVISION  
STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809  
DEPT. OF LAND &  
NATURAL RESOURCES  
December 19, 2011 HAWAII

Ref. No.: 11od-104

MEMORANDUM

TO:

**State Agencies:**

- DOH
- DHHL
- DLNR-Aquatic Resources
- DLNR-Forestry & Wildlife
- DLNR-Historic Preservation
- DLNR-State Parks
- DLNR-Conservation and Coastal Lands
- DLNR-Water Resource Management
- DOT (Highways Division)

**County Agencies:**

- Planning & Permitting
- Board of Water Supply
- Public Works
- Budget & Fiscal  
(Attn. Diane Murata)

**Federal Agencies:**

- Corps of Engineers
- NRCS

**Other Agencies:**

- Office of Hawaiian Affairs

FROM:

Barry Cheung, District Land Agent *Barry Cheung*

SUBJECT:

Sale of Remnant

LOCATION:

Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-6-08:adjacent to parcel 01.

APPLICANT:

City and County of Honolulu

Transmitted for your review and comment is a copy of the draft Land Board submittal of the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by January 10, 2012. If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact my office at 587-0430. Thank you.

**Attachments**

- ( X ) We have no objections.
- ( ) We have no comments.
- ( X ) Comments are attached.

Signed:

*Joan M. White*

Date: December 23, 2011

The Board of Water Supply (BWS) has no objection to the sale of the remnant property to the City and County of Honolulu. Please note that BWS may have facilities located within the remnant property. As such, BWS would require the relocation of such facilities to a public right-of-way or would require the appropriate grant of easements, prior to the City conveying the remnant to a private owner.

**EXHIBIT "C1"**



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

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Attachments

DRM 12-35

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: *Walter K. U.*  
Date: 1/12/12



We have no objections to the disposal of the subject City property. However, there are City drainage facilities (manhole, inlets and drain lines) that may be affected with the selling of the remnant property. Therefore, we recommend that the maintenance responsibility of the drainage facilities be turned over to the new owner(s) if sold.

Should there be any questions, please call Dexter Akamine of the Division of Road Maintenance at 768-3696.