

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

February 24, 2012

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

PSF No.: 07od-127

OAHU

Grant of Perpetual Non-Exclusive Easement to City and County of Honolulu for  
Drainage Easement Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1)  
4-1-009:portion of 262.

APPLICANT:

City and County of Honolulu

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waimanalo, Koolaupoko, Oahu, identified by Tax  
Map Key: (1) 4-1-009:portion of 262, as shown on the attached map labeled Exhibit A.

AREA:

120 square feet, more or less.

ZONING:

State Land Use District: Urban  
City & County of Honolulu LUO: AG-1

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:

Encumbered by Revocable Permit No. S-7561, Honolulu Polo Club, Inc., Permittee, for  
Polo field and related activities as defined herein, and also Waimanalo Community  
Athletic Programs purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove box culvert over, under and across State-owned land for drainage purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis. Government agency.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(3)(d) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 (d), that states "Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of 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." 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: Applicant shall be required to:

1. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
2. Process and obtain subdivision at Applicant's own cost.

REMARKS:

Around 1979, City and County of Honolulu ("City") intended to construct a box culvert within the Inoaole Stream at the subject location. The box culvert would be over portions of stream under the management jurisdictions of the Department and Hawaii Housing Finance and Development Corporation.

On February 9, 1979, under agenda item F-7, the Board authorized the issuance of a construction right-of-entry for the project. Other than that, there was no easement issued to the City.

During review of outstanding requests by the division, the outstanding easement request was noted. After discussing with the City, staff received a written request from the City regarding a perpetual easement for drainage purposes for the subject box culver.

Staff did not solicit comments from other agencies as the subject request is for housekeeping purposes only.

For the Board's information, the applicant is working with the Hawaii Housing Finance and Development Corporation, who owns and manages the other half of the same stream, for similar easement request.

There are no other pertinent issues or concerns. Staff recommends the Board authorize the issuance of the requested easement.

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. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to City and County of Honolulu covering the subject area for drainage 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. Concurrence from the Permittee of Revocable Permit No. 7561;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

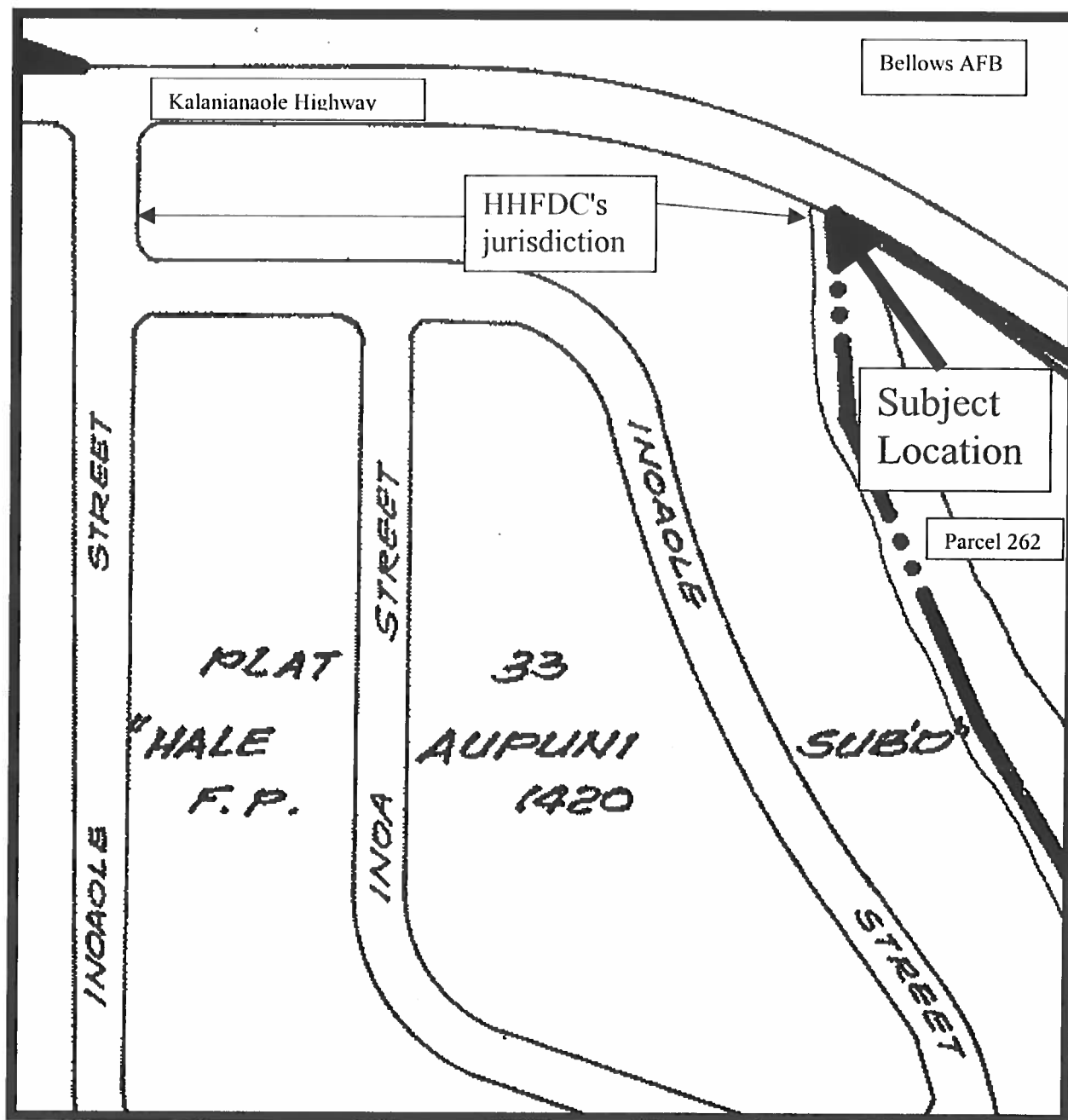
Respectfully Submitted,



Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

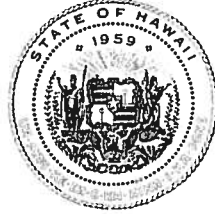
  
William J. Aila, Jr., Chairperson



TMK (1) 4-1-009:portion of 262

**EXHIBIT A**

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

February 24, 2012

WILLIAM J. AHLA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIKOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

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

Project Title: Inoaole Stream Drainage Easement

Project / Reference No.: PSF 07od-127

Project Location: Waimanalo, Koolaupoko, Oahu, Tax Map Key: (1) 4-1-009:portion of 262

Project Description: Construction of box culver for drainage purposes

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(3)(d) and (4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 (d), that states "Construction and location of single, new, small facilities or structures and the alteration and modification of the same and installation of 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." and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The request pertains to construction of box culvert at the subject location for drainage purposes. Around 1979, the Board authorized the issuance of construction right-of-entry for the subject box culvert. Construction work was completed. However, documentation was never follow-up. The subject request plans to

EXHIBIT B


document an existing box culvert and involve no major change of use or alteration of land, water or vegetation condition.

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.



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William J. Aila, Jr.  
Chairperson

2/14/12

\_\_\_\_\_  
Date