

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

December 14, 2012

PSF No. 12OD-145

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

Oahu

Grant of a Perpetual, Non-Exclusive Water Meter Easement to the Board of Water Supply, Waianae-Kai, Waianae, Oahu, Tax Map Key (1) 8-5-002:012 portion.

APPLICANT:

Board of Water Supply

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waianae Kai, Waianae, Oahu, identified by Tax Map Key: (1) 8-5-002:012 portion , as shown on the attached map labeled Exhibit 1.

AREA:

305 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu P-2

TRUST LAND STATUS:

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

CURRENT USE STATUS:

Encumbered by General Lease No. S-5871 to the Honolulu Community Action Program, Inc., for multi-purpose community facility purposes.

CHARACTER OF USE:

Water meter purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, that states "Construction and location of single, 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." See Exhibit 2.

DCCA VERIFICATION:

Not applicable.

APPLICANT REQUIREMENTS:

None

REMARKS:

The Board of Water Supply (BWS) requests that a water meter easement, consisting of approximately 305 square feet, and identified as "Easement WM-2", be allowed over Lot A. Lot A is currently leased by the Honolulu Community Action Program, Inc. from the State of Hawaii; and is located along Farrington Highway on the leeward side of Oahu.

On February 10, 2012, subdivision approval from the City and County's Department of Planning and Permitting (DPP) was obtained by the BWS designating "Easement WM-2" for water meter purposes over Lot A.

The Department of Permitting and Planning, Department of Health, Department of Parks and Recreation, Department of Facility Maintenance and the Department of Transportation have no objections nor have any comments regarding the subject request. The Honolulu Community Action Program concurs with the subject request as indicated on Exhibit 3, attached.

The Department of Hawaiian Home Lands, Division of Historic Preservation and the Commission on

Water Resource Management have not responded as of the suspense date of the request.

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

Staff now brings the subject request to the Board for its approval.

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 perpetual non-exclusive easement to Board of Water Supply covering the subject area for water meter 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
 - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



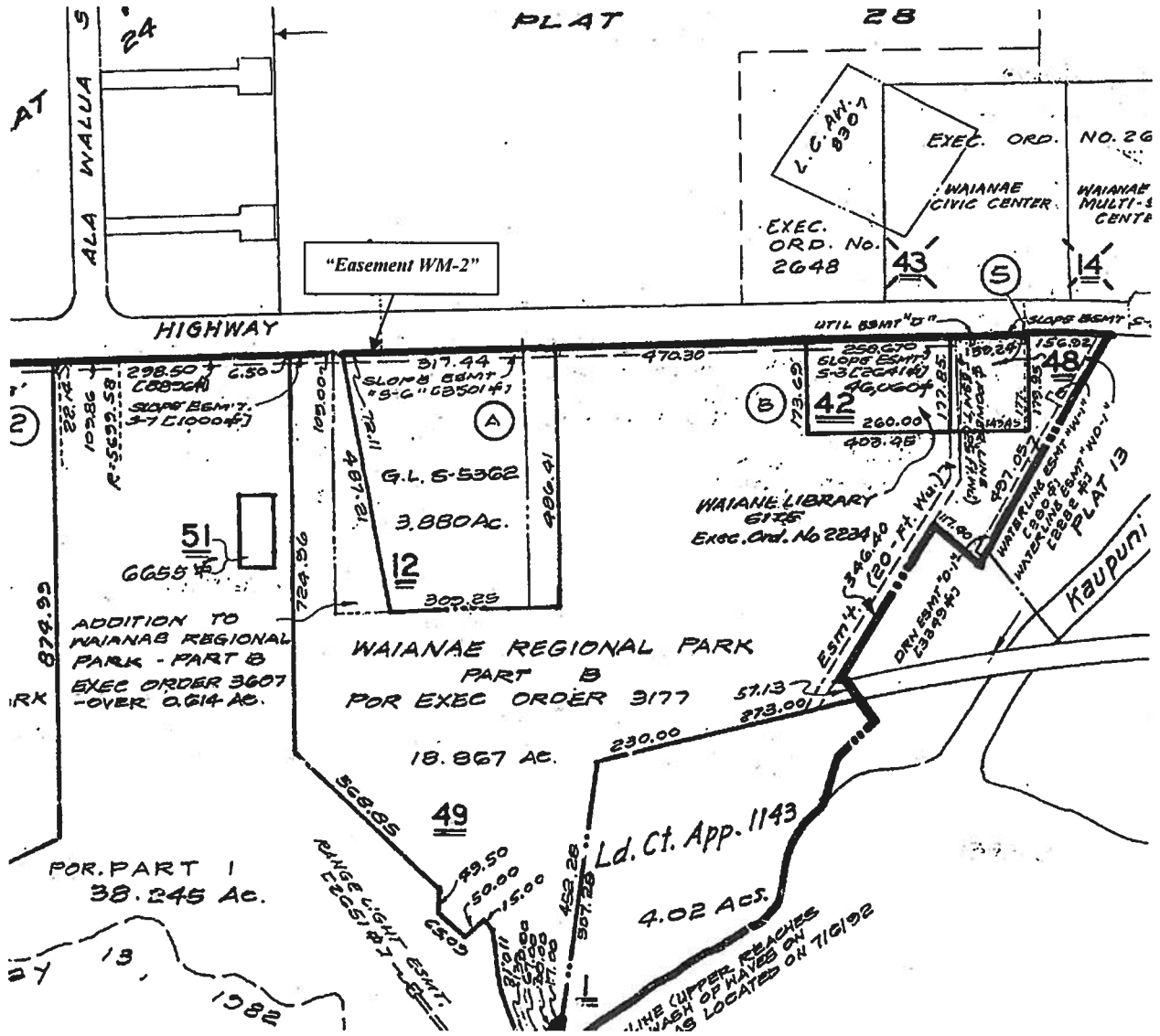
Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

EXHIBIT 1:



TAX MAP KEY: (1) 8-5-002:012 portion



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: Grant of a Perpetual, Non-Exclusive Water Meter Easement to the Board of Water Supply

Project / Reference No.: PSF 12OD-145

Project Location: Waianae-Kai, Waianae, Oahu, identified by Tax Map Key: (1) 8-5-002:012 (portion),

Project Description: Water Meter "Easement WM-2"

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 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. 3, that states "Construction and location of single, 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."

Due to the relatively small size of the requested easement area as compared with the larger size of the subject parcel, the water meter equipment is expected to have a minimal impact upon the condition of the land.

EXHIBIT 2

Consulted Parties

Not applicable

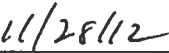
Recommendation:

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.



William J. Aila Jr., Chairperson





Date



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

October 4, 2012

Ref. No.: PSF 12OD-145

MEMORANDUM

TO:

State Agencies:

- DOH (Environmental Planning)
- 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 and Permitting
- Parks & Recreation
- Facility Maintenance
- Board of Water Supply

Federal Agencies:

- Corps of Engineers
- NRCS

Other Agencies:

- Office of Hawaiian Affairs
- Honolulu Community Action Program, Inc.

FROM:

Timmy Chee, Land Agent

SUBJECT:

Grant of a Perpetual, Non-Exclusive Water Meter "Easement WM-2"

LOCATION:

Waianae Kai, Waianae, Oahu, Tax Map Key (1) 8-5-002:012 portion

APPLICANT:

Board of Water Supply

Transmitted for your review and comment is a draft Board submittal of the above referenced request involving State lands. We would appreciate your comments on this application. Please submit any comments by November 4, 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 587-0408. Thank you.

Attachments

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

HONOLULU COMMUNITY ACTION PROGRAM, INC.,
A Hawaii Non-Profit Corporation

10/12/12

By: Robert N.E. Piper, Esq.

Its: Executive Director

EXHIBIT "3"