

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

January 10, 2014

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

PSF No.:13OD-206

OAHU

Consent to Lease of Land under Governor's Executive Order No. 996 to
Hawaiian Humane Society, Kamoiliili, Honolulu, Oahu, TMK: (1) 2-8-024:037.

CONTROLLING AGENCY (of subject executive order):

City and County of Honolulu

APPLICANT (requesting lease):

Hawaiian Humane Society, a domestic non-profit corporation

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes, as amended.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: R-5

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:

Governor's Executive Order No. 996 to City and County of Honolulu for the Waiaka
Dog Pound.

PERMIT TERMS & CONDITIONS:

LOCATION:

Government lands situated at Kamoiliili, Honolulu, Oahu, identified by Tax Map Key: (1) 2-8-024:037, as shown on the attached map labeled Exhibit A.

AREA:

2.54 acres, more or less.

CHARACTER OF USE:

Animal shelter and dog pound

TERM:

Fifty-five (55) years, tentatively scheduled to commence on or about February 1, 2014

RENT AMOUNT:

One (1) dollar per annum.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1), 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." 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:

On February 20, 1943, Governor’s Executive Order No. 996 set aside the subject site for the Waiaka Dog Pound to the City and County of Honolulu (the “City”) for an animal shelter and dog pound.

At its meeting of August 12, 1966, under agenda item F-33, the Board of Land and Natural Resources consented to a sale of a lease from the City to the Hawaiian Humane Society. Subsequently, a fifty-five (55) year lease was issued to the Hawaiian Humane Society, commencing from July 1, 1969 to June 30, 2024.

Recently, The City Council adopted Resolution 13-269, CD1, FD1 at its meeting on November 13, 2013, approving a 55 year lease agreement for the Hawaiian Humane Society for the Waiaka Dog Pound in the terms described above. The City requests the Board consent to the issuance of a new lease.

The proposed agreement is consistent with the purpose of the set aside. There are no other pertinent issues or concerns. Staff has no objection to the request.

RECOMMENDATION:


That the Board consent to the lease between the City and County of Honolulu and the Hawaiian Humane Society, subject to any applicable conditions cited above which are by this reference incorporated herein.

Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

LOWER MAUNA HONOLULU

SECT 7 PLAT 16

KAHUNA LN.

SOUTH

SECT 7 PLAT 11

KING

STREET

KAHOALOHA LANE

SUBJECT

Parcel Diagram: 27, 29 & 32, 34, 35

FIRST DIVISION
ZONE SEC. PLAT
2 8 24
CONTAINING PARCELS
5 SCALE: 1" = 50 FT.

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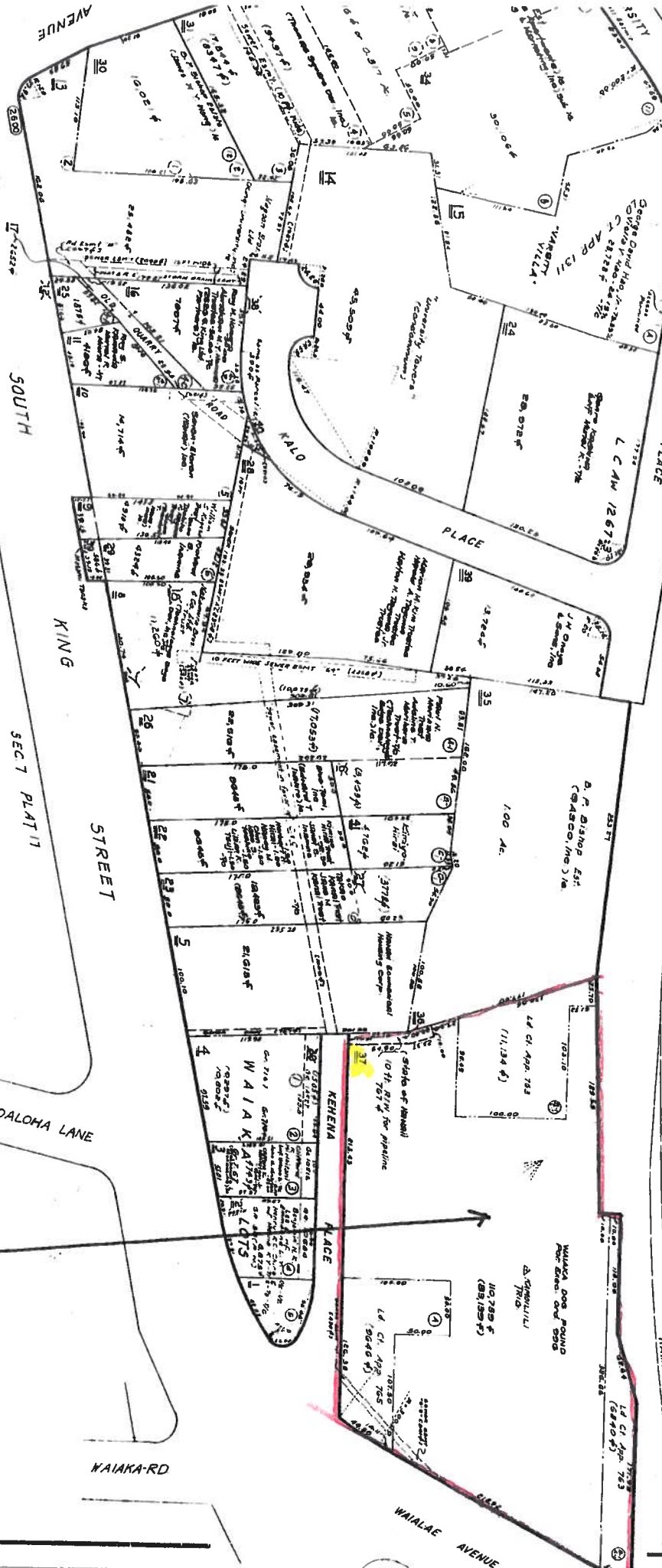


EXHIBIT "A"

EXEMPTION NOTIFICATION

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

Project Title: Consent to Issuance of a New 55 Year Lease Agreement over Lands setting aside under Governor’s Executive Order

Project / Reference No.: 13OD-206

Project Location: Honolulu, Oahu, Tax Map Key (1) 2-8-024:037.

Project Description: Waiaka Dog Pound

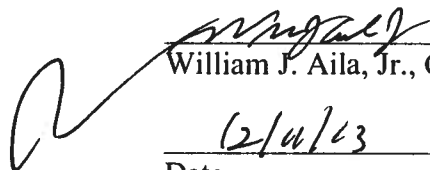
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1), 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"

The proposed lease agreement pertains to the use of the existing animal shelter dog pound for Waiaka Dog Pound. As such staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties City and County of Honolulu

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
2/10/13

Date

EXHIBIT B