

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

July 25, 2014

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

PSF No.: 14OD-100

Oahu

Set Aside to the Department of Education for School Purposes, Kapalama, Honolulu, Oahu,
Tax Map Keys: (1) 1-6-003:047 and 083

APPLICANT:

Department of Education (DOE)

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Kapalama, Honolulu, Oahu, Tax Map Keys:
(1) 1-6-003:047 and 083, as shown on the attached map labeled **Exhibit 1**.

AREA:

Parcel 047: 7,481 square feet
Parcel 083: 351 square feet
Total Area: 7,832 square feet, more or less

ZONING:

State Land Use District: Urban

City and County of Honolulu LUO: R-5

TRUST LAND STATUS:

Acquired after August 1959

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

CURRENT USE STATUS:

School use

PURPOSE:

School purposes

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

In accordance with Hawaii Administrative Rule Section 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", as included in **Exhibit 2**.

REMARKS:

The two subject parcels were conveyed to the State pursuant to the deed (Land Office Deed S-25103), dated August 28, 1969.

Presently, the Governor Wallace Rider Farrington High School uses both parcels for school purposes. New plans for the use of its main campus are currently being discussed by the Department of Education (DOE) but have not yet been finalized.

According to records, there was never any setting aside of the subject parcels to the DOE for its use and management jurisdiction. Further, staff believes that the highest and best use of the subject parcels is for serving school purposes; for which they are currently being used. Therefore, the purpose of this request is to set aside the subject parcels to the DOE for school purposes.

Staff notes that TMK (1) 1-6-003: 082 is depicted as a portion of a roadway and also as a ten (10) foot wide lane, and as such, is defined as a public highway pursuant to Chapter 264-1, HRS. Further, roads and streets are not included as a part of the public lands that fall under the jurisdiction of the Board of Land and Natural Resources, pursuant to Chapter

171-2, HRS. Therefore, parcel eighty-two (82) is not included as a part of this subject request to DOE.

There are no other pertinent issues or concerns. Staff has no objections to the subject request.

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. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject land to the Department of Education under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - 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,

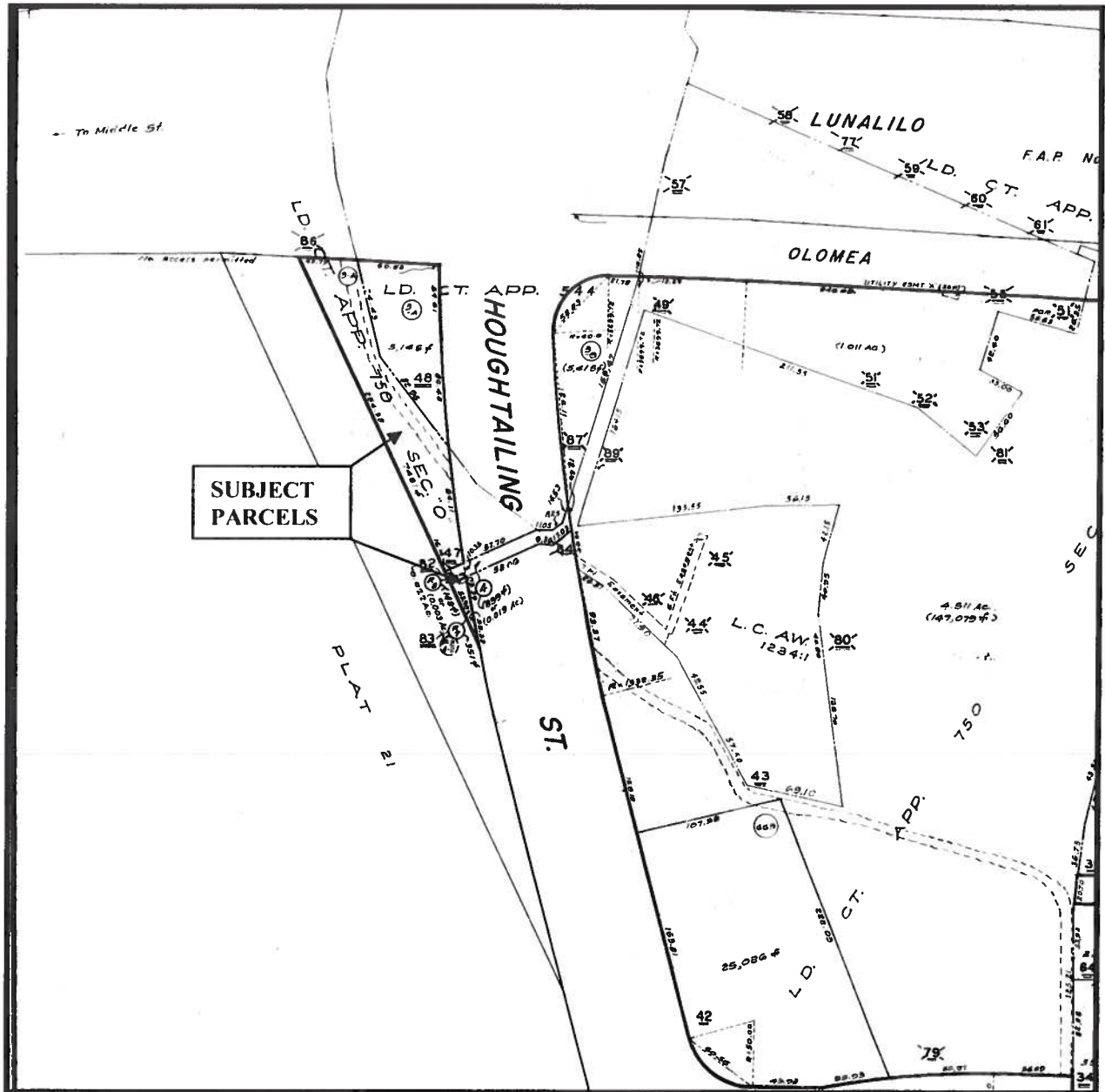


Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aifa, Jr., Chairperson 



TAX MAP KEYS: (1) 1-6-003:047 and 083

EXHIBIT 1

EXEMPTION NOTIFICATION

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

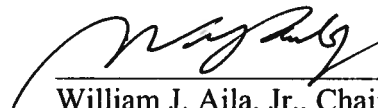
Project Title: Set Aside to the Department of Education for School Purposes
Project / Reference No.: PSF 14OD-100
Project Location: Kapalama, Honolulu, Oahu, Tax Map Keys: (1) 1-6-003:047 and 083
Project Description: Setting Aside of Public Land for School Purposes
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4), 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."

The request pertains to the transfer of management jurisdiction of the subject State parcels. There are no plans to change the existing school use of the parcels by the Applicant. 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: None

Recommendation: It is recommended that the Board find 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
Date:  JUL 14 2014

EXHIBIT 2