

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

September 12, 2014

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

PSF No.: 14OD-147

OAHU

Authorization to Enter into Non-Exclusive License Agreement with the City and County of Honolulu on behalf of the Hawaii State Public Library System for Access Purposes, Manoa, Honolulu, Oahu, Tax Map Key: (1) 2-9-023:024 (Portion).

APPLICANT:

Hawaii State Public Library System ("HSPLS")

LANDOWNER:

City and County of Honolulu ("City")

LEGAL REFERENCE:

Section 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of lands situated at Manoa, Honolulu, Oahu, identified by TMK: (1) 2-9-023:024 portion, as shown on the attached map labeled Exhibit A.

AREA:

73 square feet, more or less.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: R-7.5

CHARACTER OF USE:

Access Purposes

LEASE TERM:

Five (5) years.

ANNUAL RENT:

Nominal.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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 B.

DCCA VERIFICATION:

Government agency. Not applicable.

REMARKS:

During the renovation stage for the Manoa Public Library, the consultant discovered that there was a sliver of land ("Area") located between the library property line and the public road. The Area is a portion of the City and County of Honolulu's ("City") property of about 73 square feet, which fronts the vehicle access for the new library.

At its meeting of September 25, 2009, under agenda item D-10, the Board approved entering into a lease agreement with the City and County of Honolulu for the use of the Area by the HSPLS. The lease expires on December 31, 2014. (Exhibit B)

The City and HSPLS agree to continue the utilization of the Area by HSPLS for another five (5) years commencing from January 1, 2015.

Upon approval of today's request, the City will submit the document to the Department of the Attorney General for review and final approval. There are no other pertinent issues or concerns. Staff has no objections to the request.

RECOMMENDATION: That the Board:

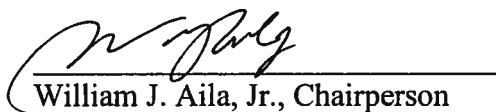
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize to enter into a non-exclusive license agreement with the City and County of Honolulu on behalf of the Hawaii State Public Library System 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. Review and approval by the Department of the Attorney General; and
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



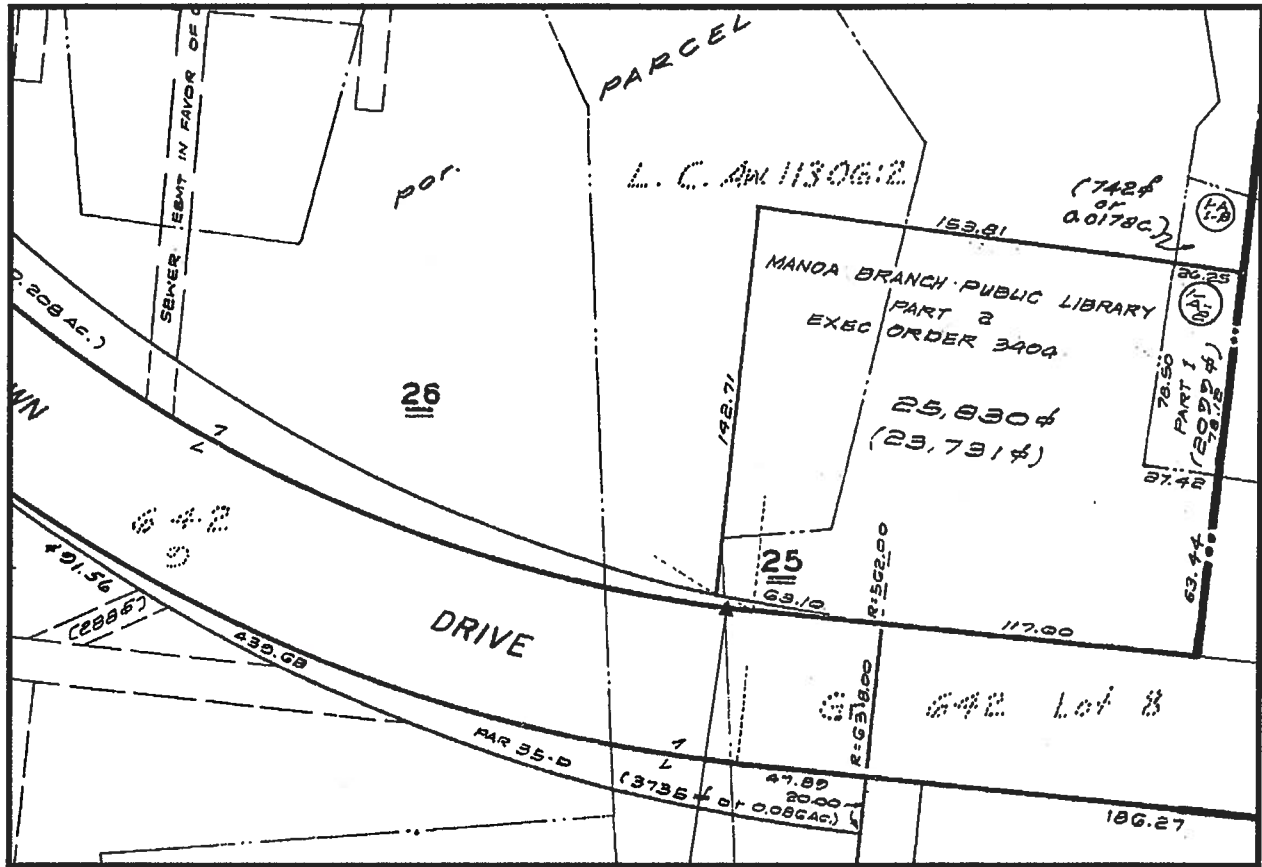
Steve Lau  
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson





Subject Area

# EXHIBIT A



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

Project Title: Authorization to Enter into Non-Exclusive License Agreement with the City and County of Honolulu on behalf of the Hawaii State Public Library System for Access Purposes.

Project / Reference No.: PSF 14OD-147

Project Location: Manoa, Honolulu, Oahu, TMK: (1) 2-9-023:024 (Portion).

Project Description: Authorization to Enter into Non-Exclusive License Agreement for Access Purposes


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

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

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: Department of Accounting and General Services

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

EXHIBIT "B"

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

September 25, 2009

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

PSF No.: 09od-109

OAHU

Approval of Lease with the City and County of Honolulu on behalf of the Hawaii State Public Library System for Access Purposes, Manoa, Honolulu, Oahu, Tax Map Key: (1) 2-9-023:024 portion.

APPLICANT:

Hawaii State Public Library System

LANDOWNER:

City and County of Honolulu, whose mailing address is 530 South King Street, Honolulu, Hawaii 96813.

LEGAL REFERENCE:

Section 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of lands situated at Manoa, Honolulu, Oahu, identified by Tax Map Key: (1) 2-9-023:024 portion, as shown on the attached map labeled Exhibit A.

AREA:

73 square feet, more or less.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: R-7.5

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES  
AT ITS MEETING HELD ON

September 25, 2009

D-10

**EXHIBIT "C"**

CHARACTER OF USE:

Access Purposes

LEASE TERM:

Five (5) years with a commencing date to determined.

ANNUAL RENT:

Nominal.

DCCA VERIFICATION:

Government agency. Not applicable.

REMARKS:

Department of Accounting and General Services, Public Works Division (DAGS) is undertaking the redevelopment of the Manoa Public Library located on tax map key (1) 2-9-023:025 on behalf of the Hawaii State Public Library System (HSPLS).

During the design stage, the consultant discovered that there is a sliver of land (Area) located between the library property line and the public road. The Area is a portion of the City and County of Honolulu's (City) property of about 73 square feet, and it fronts the future vehicle access point for the new library.

When the redevelopment project went through the City's zoning waiver process, HSPLS was required to obtain legal right over the Area. Pursuant to discussion with the City's staff, HSPLS has decided to acquire a lease from the City over the use of the Area. The lease arrangement saves HSPLS the cost (e.g. title report, environmental study) spent on any acquisition of the Area from the City.

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


RECOMMENDATION:

That the Board approve entering into a lease with the City and County of Honolulu on behalf of the Hawaii State Public Library System covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:



1. Review and approval by the Department of the Attorney General; and

2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

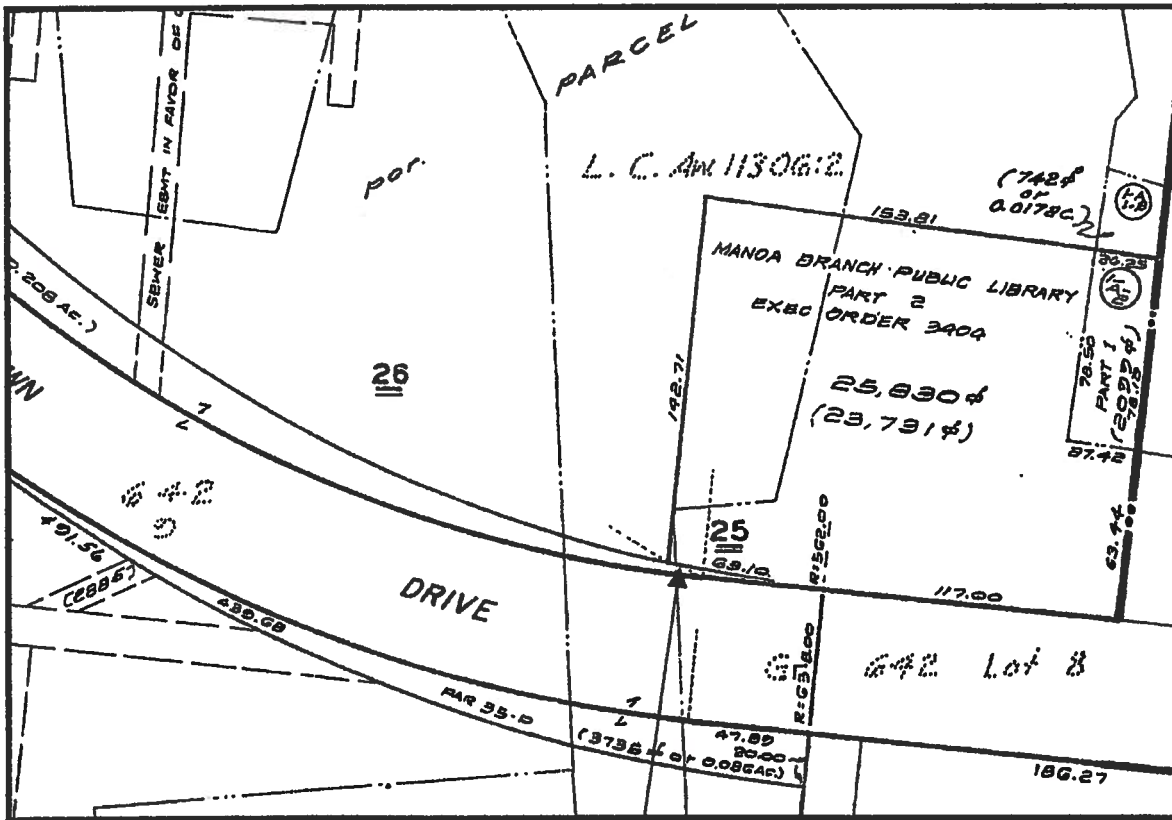
Respectfully Submitted,

  
\_\_\_\_\_  
Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
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Laura H. Thielen, Chairperson 





Subject Area

# EXHIBIT A