

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

September 25, 2015

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

PSF No.: 15OD-155

OAHU

Grant of Perpetual, Non-Exclusive Easement and Issuance of Immediate Right-of-Entry Permit to Hawaiian Electric Company, Inc. for Guy Wire and Anchor Purposes, Kapalama, Honolulu, Oahu, Tax Map Key: (1) 1-6-009:portion of 001

APPLICANT:

Hawaiian Electric Company, Inc. ("HECO").

LEGAL REFERENCE:

Section 171-55 and 95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kapalama, Honolulu, Oahu, identified by Tax Map Key: (1) 1-6-009:portion of 001, as shown on the attached maps labeled **Exhibits A**.

AREA:

125 square feet, more or less, subject to review and approval by the Department of Accounting and General Services.

ZONING:

State Land Use District:                      Urban  
City & 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:

Vacant and unencumbered.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove guy wires and anchor including the right to trim and keep trimmed any trees in the way of its improvements.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by independent appraisal establishing fair market rent, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, Item No. 15 that states "Utility service connection and installation". 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>

APPLICANT REQUIREMENTS: Applicant shall be required to:

1. Pay for an appraisal to determine one-time payment;
2. Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
3. Process and obtain designation of easement approval at Applicant's own cost.

REMARKS:

As part of the City and County of Honolulu's ("City") Kuakini Street Extension project, HECO is required to relocate an existing utility pole. Accordingly, HECO needs to

install guy wires and anchor at the requested location to support the new pole. The requested location is within the area planned to be transferred to Hawaii Health System Corporation for employee parking. Both HHSC and the City have no objection to the requested easement.

Staff did not solicit comments for the requested easement other than the City and HHSC as noted above. The Final Environmental Assessment and the Finding of No Significant Impact for the road extension project was published on the Environmental Notice on October 23, 2005. Comment period was incorporated in the 2005 process, and the requested easement is part of the road improvement work.

Applicants have not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

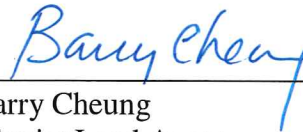
There are no other pertinent issues or concerns and staff does not have any objection to the request.

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. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Hawaiian Electric Company, Inc. covering the subject area for guy wire and anchor 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.
3. Issuance of a right-of-entry permit to Hawaiian Electric Company, Inc. covering the subject area for guy wire and anchor purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

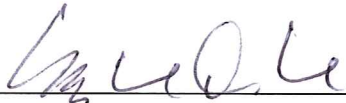
- A. The standard terms and conditions of the most current right-of-entry document form, as may be amended from time to time.
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



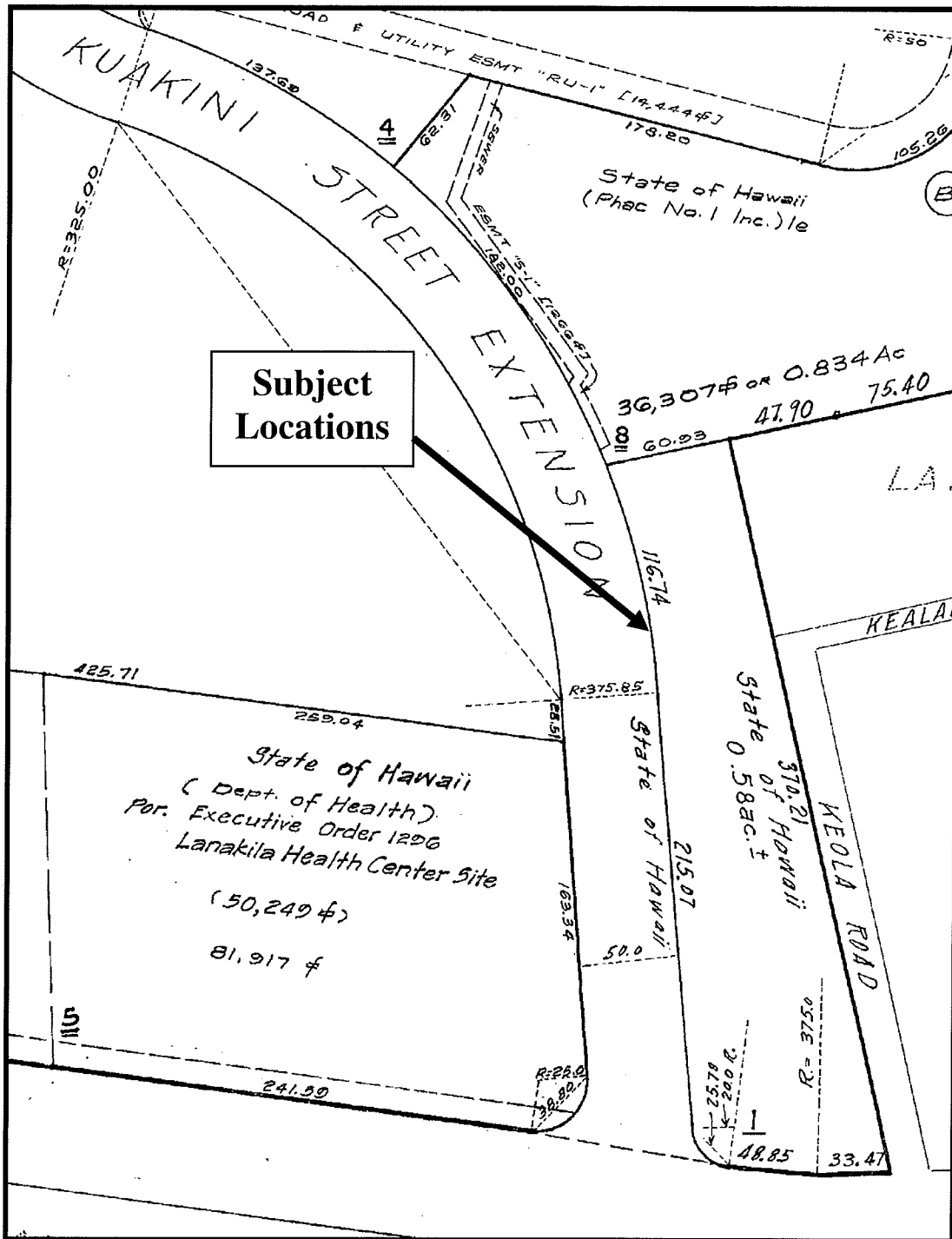
Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





TMK (1) 1-6-009:portion of 001

# EXHIBIT A

**EXEMPTION NOTIFICATION**

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

Project Title: Perpetual Non-Exclusive Easements and the Issuance of Right-of-Entry Permit for Guy Wire and Anchor Purposes.

Project / Reference No.: PSF 150D-155

Project Location: Kapalama, Honolulu, Oahu; Tax Map Key: (1) 1-6-009:portion of 001.

Project Description: Guy wire and anchor purposes associated with the Kuakini Street Extension

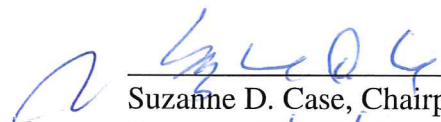
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, Item No. 15 that states "Utility service connection and installation".

Since the request is triggered by the relocation an existing pole for the road improvement and the purpose of the requested easement is for guy wire and anchor purposes, the subject request is therefore exempt from the preparation of an environmental assessment.

Consulted Parties Agencies as noted in the submittal.

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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Suzanne D. Case, Chairperson  
Date: 5/15/15

**EXHIBIT B**