

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

April 11, 2008

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

PSF No.: 08od-012

OAHU

Withdrawal from Governor's Executive Order No. 2642 and Reset Aside to
Department of Agriculture for Irrigation Purpose, Waimanalo, Koolaupoko, Oahu,
TMK: (1) 4-1-027: 003.

CONTROLLING AGENCY (of subject executive order):

Board of Water Supply

APPLICANT (requesting set aside):

Department of Agriculture

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waimanalo, Koolaupoko, Oahu, identified by
Tax Map Key: (1) 4-1-027:003, as shown on the attached map labeled Exhibit A.

AREA:

6,979 square feet, more or less.

ZONING:

State Land Use District: Agricultural
City & County of Honolulu LUO AG-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES __ NO X

CURRENT USE STATUS:

Portion of Governor's Executive Order No. 2642 setting aside 6,979 square feet to Board of Water Supply for Water Pipeline Easements, Well and Pumpsite Reservoir Site, Kaulukanu Street Extension purposes.

PURPOSE:

Irrigation Purpose

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.

APPLICANT REQUIREMENTS:

None

REMARKS:

A well and pumpsite, identified by tax map key (1) 4-1-027:003 was set aside to the Board of Water Supply (BWS) by Governor's Executive Order No. 2642 in addition to other facilities. BWS no longer requires this site, being approximately 6,979 square feet.

The Hawaii Drought Council's Drought Mitigation Plan was activated when the U.S. Secretary of Agriculture issued a Drought Disaster Declaration on July 27, 2007. One of the high priority drought mitigation projects is the reactivation of an abandoned potable water well for agricultural use. The subject well is inactive as it does not meet drinking water standards; however, it is suitable for irrigation purposes. BWS has agreed to relinquish the subject well site to the Department of Agriculture (DOA).

Upon approval, BWS and DOA will coordinate the implementation of this project. Funds to reactivate the well are being provided by the U.S. Bureau of Reclamation under Title I of the Drought Relief Act of 1991.

Department of Facility Maintenance has no objection to the request. Department of Health, Department of Hawaiian Home Lands, Commission on Water Resource Management, and Office of Hawaiian Affairs have not responded as of the suspense date.

RECOMMENDATION: That the Board:

1. Approve of and recommend to the Governor issuance of an executive order withdrawing 6,979 square feet from the Governor's Executive Order No. 2642 and subject 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.

2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Department of Agriculture 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,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Laura H. Thielen, Chairperson



