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

April 21, 2011

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

PSF No.: 11OD-032

Oahu

Grant of a Perpetual, Non-Exclusive Easement and Issuance of a Construction and Management Right-of-Entry to the City and County of Honolulu for Sewer Line Purposes; Waikele, Ewa, Oahu; Tax Map Key: (1) 9-4-014:006 portion

APPLICANT:

City and County of Honolulu

LEGAL REFERENCE:

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

LOCATION:

Portion of State lands situated at Waikele, Ewa, Oahu identified by Tax Map Key: (1) 9-4-014:006 portion, as shown on the attached maps labeled Exhibit A.

AREA:

The sewer line easement is estimated to consist of 309 square feet, more or less.

The construction and management right of entry is estimated to consist of 4,592 square feet, more or less.

ZONING:

State Land Use District:	Urban
City and County of Honolulu	LUO: Community Business: (B-2)

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:

Encumbered by Governor's Executive Order No. 2078, set aside to the City and County of Honolulu for stream flowage and drainage purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain and repair a right-of-way over, under and across State-owned land for sewer line purposes.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(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. 4, that states "Minor alteration in the conditions of land, water, or vegetation", as indicated in Exhibit B.

DCCA VERIFICATION:

Not applicable. Applicant is a Government agency.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;

2) Process and obtain subdivision at Applicant's own cost.

REMARKS:

The City and County of Honolulu (City) of Honolulu is requesting a sewer line easement for the proposed Hanawai Circle Sewer Reconstruction project. The proposed project includes work involving a portion of the Kapakahi Stream.

The City plans to install the new sewer line to traverse through the subject State property by utilizing a pilot tube microtunneling method of drilling. The City is also requesting the issuance of a construction and management right-of-entry for purposes of staging its equipment over a portion of the subject property, as delineated in Exhibit C. Construction plans are tentatively scheduled to start in the Fall of 2011 and is anticipated to finish nine (9) months thereafter, excluding unforeseen days of inclement weather. Once the construction project is completed, the applicant agrees to clear the construction easement area and to reasonably restore it to its original condition.

The Commission on Water Resource Management, Department of Health, Board of Water Supply and the Department of Design and Construction had no comments or objections to the subject request.

The Division of Historic Preservation, Department of Facility Maintenance and the Office of Hawaiian Affairs had not responded as of the requested due date.

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 the City and County of Honolulu covering the subject area for sewer line 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 construction and management right-of-entry to the City and County of Honolulu covering the subject area for sewer line 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 and

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

Respectfully Submitted,

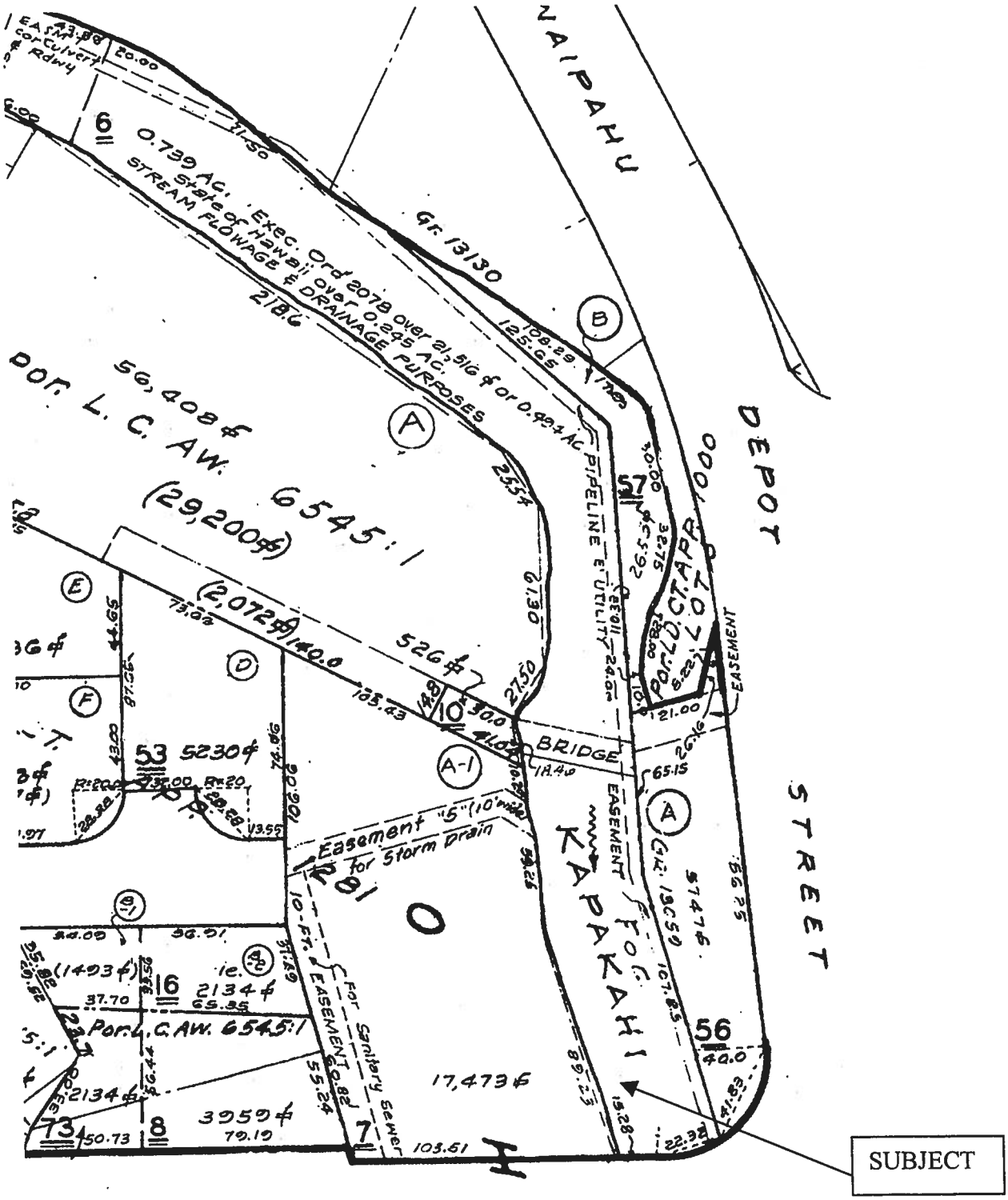
Timmy Chee

Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:

William J. Aila Jr., Chairperson

EXHIBIT A



TAX MAP KEY: (1) 9-4-014:006 PORTION

NEIL ABERCROMBIE
GOVERNOR OF HAWAII

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

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 and Chapter 11-200, HAR

Project Title:	Issuance of a Perpetual Non-Exclusive Easement and a Construction and Management Right of Entry to the City and County of Honolulu
Project / Reference No.:	PSF 11OD-032
Project Location:	Waikele, Ewa, Oahu, Tax Map Key: (1) 9-4-014:006 portion
Project Description:	Perpetual Non-Exclusive Easements to the City and County of Honolulu.
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. 4, that states ""Minor alteration in the conditions of land, water, or vegetation". The City and County of Honolulu proposes to use a pilot tube microtuneling method of drilling to install the sewer line through a portion of the subject property. Staff believes that this method of drilling will cause minimal alteration to land, water and vegetation at the subject location.
Consulted Parties	Not applicable
Recommendation:	It is recommended that the Land Board determine 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

4/4/11
Date

EXHIBIT B

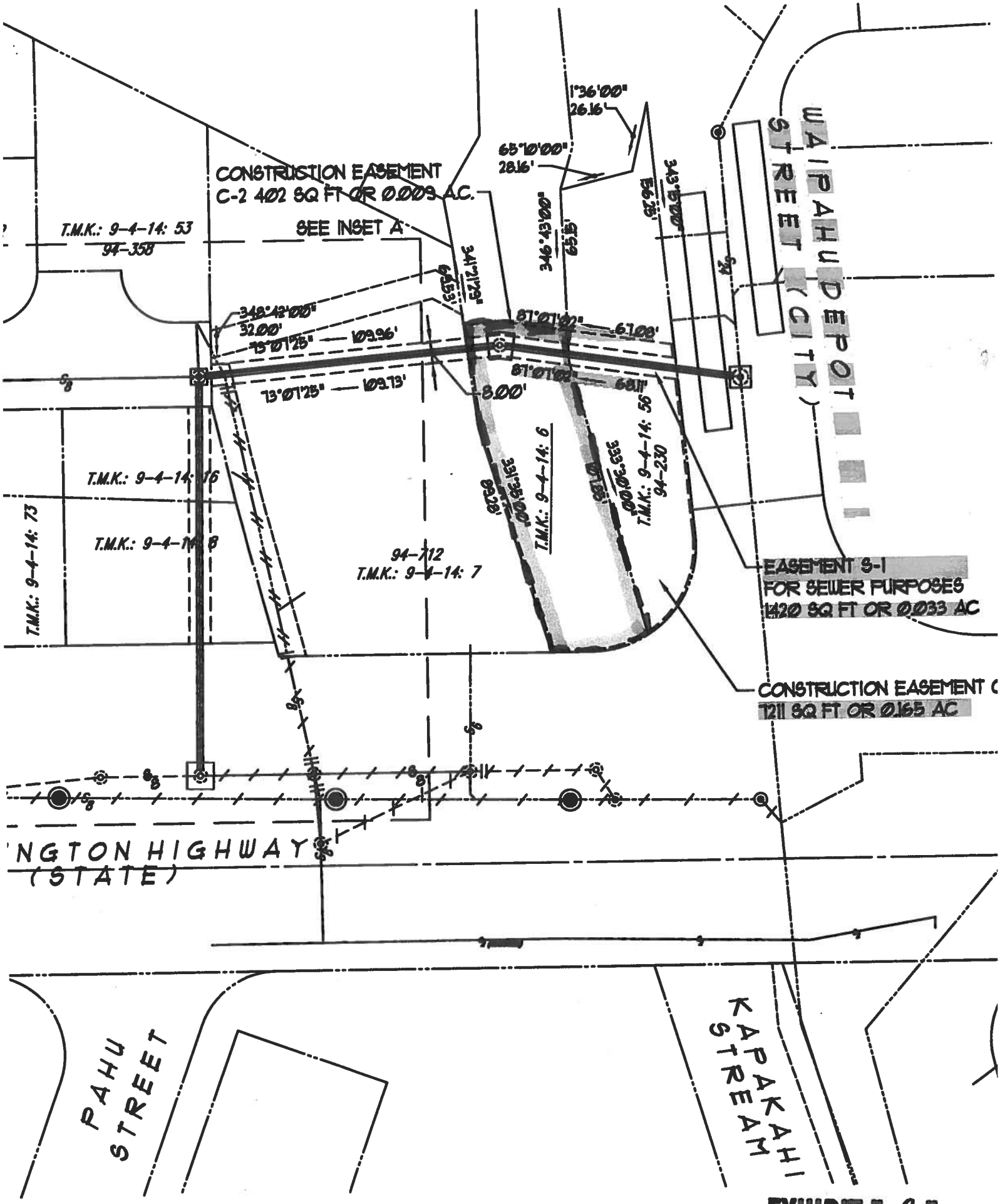


EXHIBIT "C"

EASEMENT MAP