

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

February 10, 2017

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

PSF No.:08HD-144

Hawaii

Grant of Perpetual, Non-Exclusive Easement to County of Hawaii, Department of Water Supply for Water Pipeline Purposes, Ponahawai, South Hilo, Hawaii, Tax Map Key: (3) 2-5-006:142.

APPLICANT:

County of Hawaii, Department of Water Supply

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Ponahawai, South Hilo, Island of Hawaii, identified by Tax Map Key: (3) 2-5-006:portion of 142, as shown on the attached map labeled Exhibit A.

AREA:

9,025 square feet, more or less.

ZONING:

State Land Use District:	Agriculture
County of Hawaii CZO:	Open

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 a perpetual easement¹ to the Hawaii Electric Light Company for utility purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove water transmission pipeline over, under and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment (revised) for the subject project was published in the OEQC's Environmental Notice on March 8, 2015 with a finding of no significant impact (FONSI).

DCCA VERIFICATION:

Not applicable. The Applicant as a government agency is not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

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

REMARKS:

The County of Hawaii, Department of Water Supply (DWS) is requesting a perpetual easement over State land for a water pipeline in the Ponahawai vicinity of South Hilo. The DWS prepared an Environmental Assessment (EA) in 1996 for a water system improvement project in upper Hilo. One aspect of the project involved the construction of a 1.0 million-gallon reservoir. The project also included minor relocation of an existing water main that would connect to the reservoir.

¹ Land Office Deed No. S-28,534

A subsequent Environmental Assessment published on March 8, 2015 revised the original 1.0 million gallon reservoir to be upsized to 2.0 million gallon to accommodate current and estimated future demand for the service area. However, there have been no changes in design plans that would have an effect on the pipeline easement over the State land.

The purpose of this easement is to connect two previously existing water line easements over private lands as laid out in documents dating from February 14, 1936². Approximately half of the proposed alignment for the transmission main will be within the existing County-owned rights-of-way. For the remaining portions, DWS will need to obtain perpetual easements from four private landowners in addition to the State. Because the proposed alignment is almost entirely within existing or planned rights-of-way, the alignment avoids interfering with any overlying uses.

RECOMMENDATION: That the Board:


1. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to County of Hawaii, Department of Water Supply covering the subject area for water pipeline and access 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.

Respectfully Submitted,



Gordon C. Heit
District Land Agent

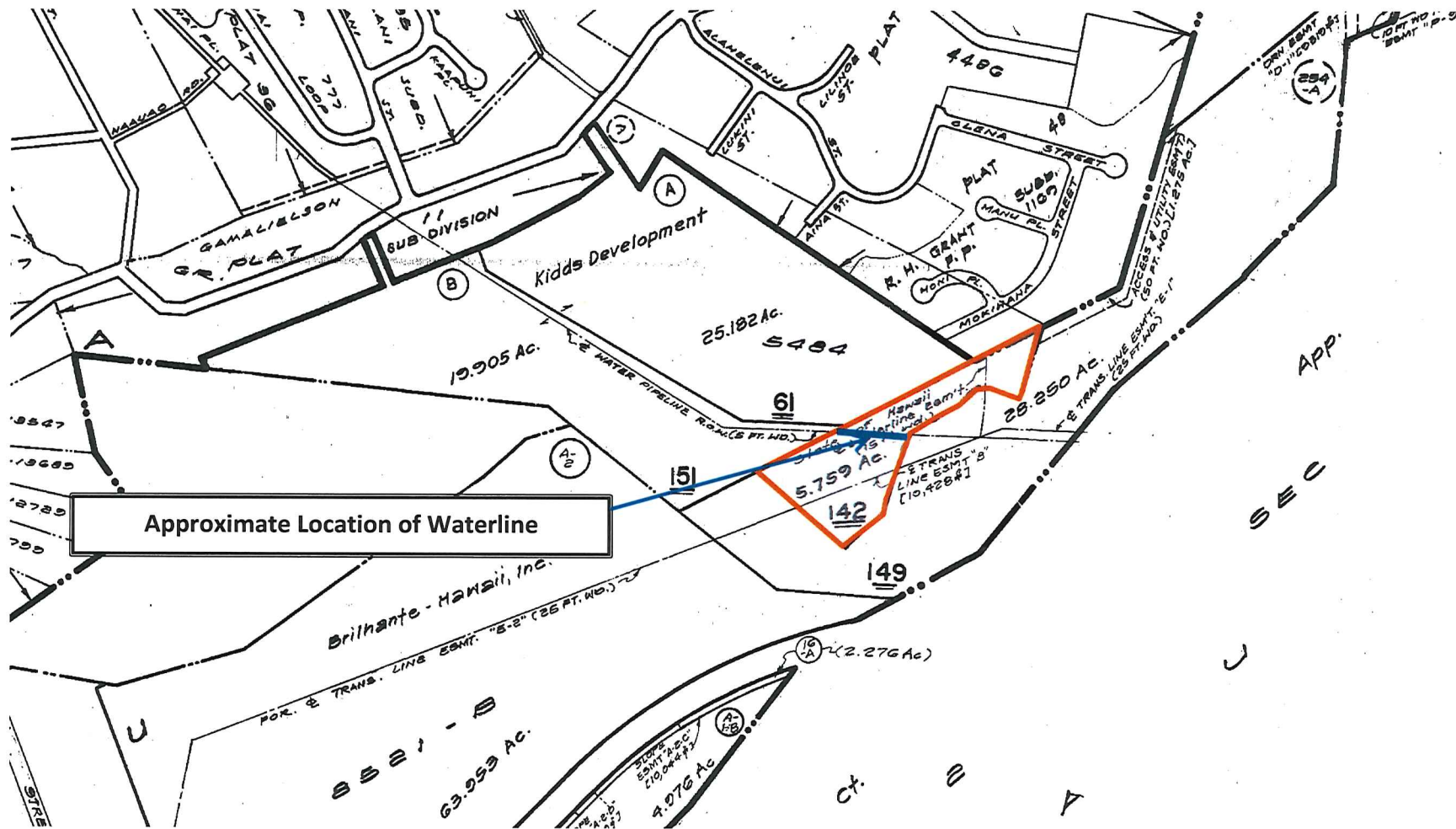
APPROVED FOR SUBMITTAL:

N 
Suzanne D. Case, Chairperson

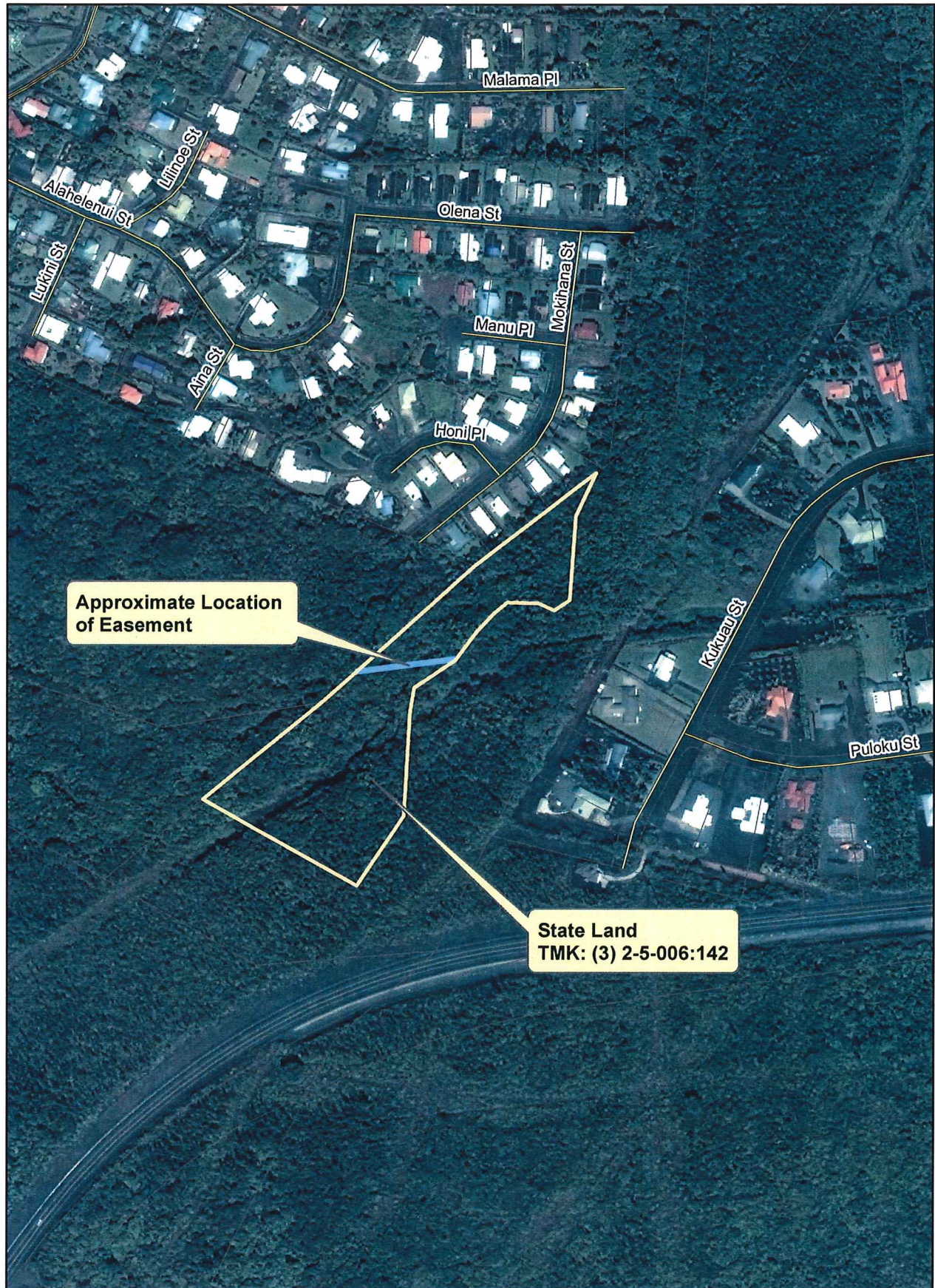
- 2 1) Hilo Sugar Co. to Territory of Hawaii. A 5-foot wide right-of-way for water-pipe-line, Kukuau2nd, South Hilo, Hawaii, being a portion of R. P. 5706, L. C. Aw. 8521-B to G. D. Hueu
- 2) J. E. Gamalielson to Territory of Hawaii. A 5-foot wide right-of-way for water-pipe-line, Ponahawai Homesteads, South Hilo, Hawaii, being a portion of Grant 5484 to J. E. Gamalielson

EXHIBIT A

TMK; (3) 2-5-006:142



Ponahawai Water Pipeline Easement



0 130 260 520 780 1,040
Feet

