



TRUST LAND STATUS:

Section 5 (b) lands of the Hawaiian Admission Act

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

CURRENT USE STATUS:

Encumbered by Revocable Permit Nos. S-7600 and S-7606 to HECO and to HTI for utility purposes.

Encumbered by perpetual, non-exclusive easement (Land Office Deed No. 27574), Roger A. Watson and Ellen H. Watson, Grantees, for electrical easement purposes.

Encumbered by perpetual, non-exclusive easement (Land Office Deed No. 28801), William Yoshiro Chinen and Aileen Toshiko Chinen, Trustee, for waterline purposes.

CHARACTER OF USE:

Right, privilege and authority to construct, reconstruct, use, maintain, and repair electrical and communication equipment, utility poles, and wires, and anchors over, under and across State-owned land, including the right to trim and keep trimmed any trees in the way of their appliances and equipment.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by an independent appraisal, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, concurred with by the Environmental Council on June 5, 2015, the subject request includes the issuance of an easement which is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, item 46, which states, "Creation or termination of easement, covenants, or other rights in structures or land." See **Exhibit 2**.

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 a one-time easement payment; and
- 2) Process and obtain designation of easement approval at the Department of Planning and Permitting at Applicant's own cost.

Note: The applicant has previously provided the required maps and description for the proposed easement areas.

REMARKS:

The existing overhead power lines are located over Lot 2 of the Waimanalo Agricultural Park, Phase II. The subject area is currently encumbered by Revocable Permit Nos. S-7600 and S-7606 issued to HECO and to HTI for utility purposes.

Revocable permits have typically been renewed annually by the Board of Land and Natural Resources. They are valid for only on a month-to-month basis. As such, HECO and HTI request for the issuance of a perpetual non-exclusive easement and also want to include the cancellation of the two (2) existing revocable permits.

The Department of Facility Maintenance and the Department of Parks and Recreation have responded with no comments regarding the subject request.

At the present time of this writing, the Department of Environmental Health Planning, the State Historic Preservation Division, the Department of Planning and Permitting and the Board of Water Supply did not respond to a request that had been made for their comments regarding the subject request.

HECO and HTI 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 that members of staff are currently aware of regarding the subject 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. and to Hawaiian Telcom, Inc. covering the subject area for utility 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. Cancellation of Revocable Permits Nos. S-7600 and S-7606 following the issuance of the requested easement.

Respectfully Submitted,



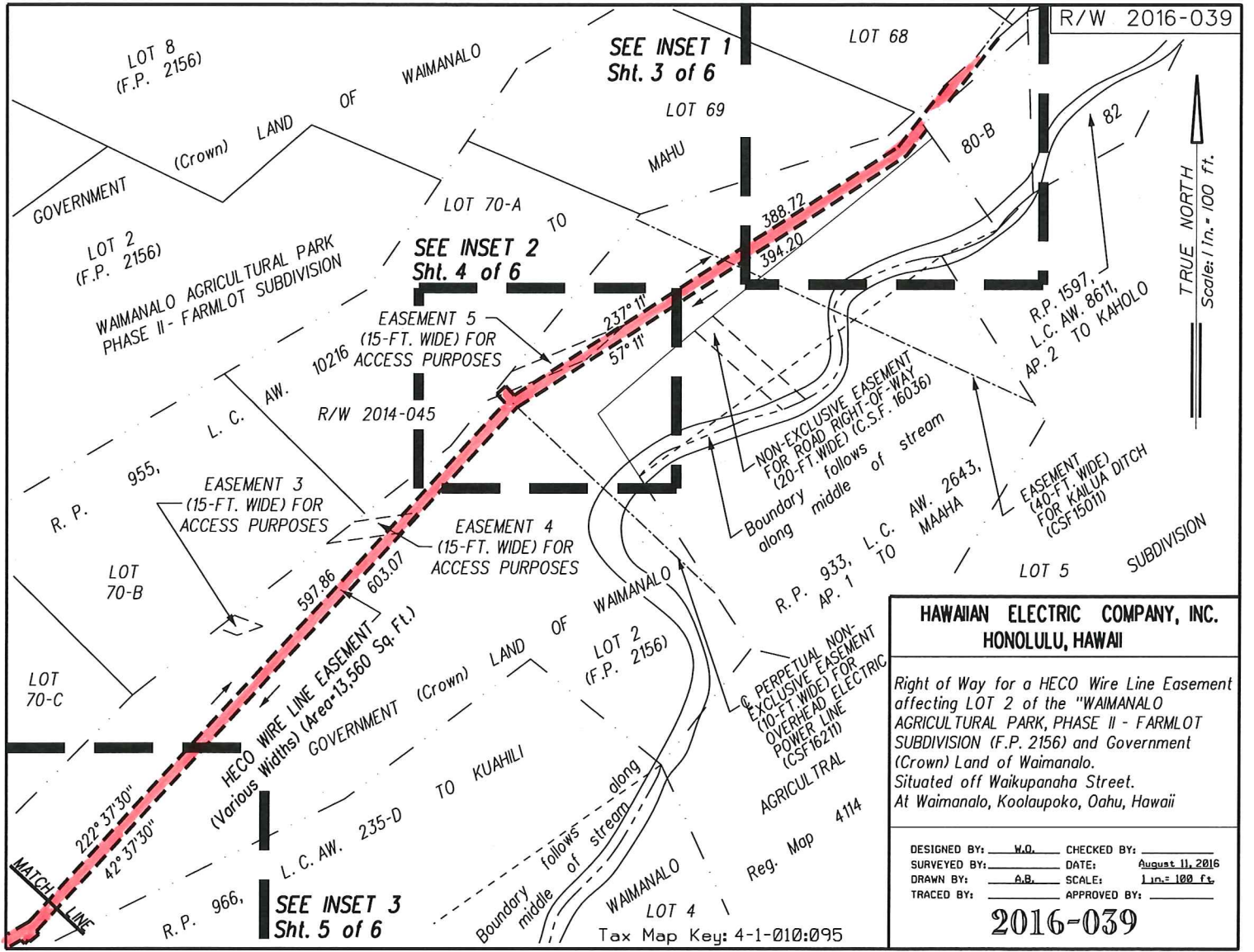
Timmy Chee  
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





**HAWAIIAN ELECTRIC COMPANY, INC.  
HONOLULU, HAWAII**

Right of Way for a HECO Wire Line Easement affecting LOT 2 of the "WAIMANALO AGRICULTURAL PARK, PHASE II - FARMLOT SUBDIVISION (F.P. 2156) and Government (Crown) Land of Waimanalo. Situated off Waikupanaha Street. At Waimanalo, Koolaupoko, Oahu, Hawaii

DESIGNED BY: W.D. CHECKED BY: \_\_\_\_\_  
 SURVEYED BY: \_\_\_\_\_ DATE: August 11, 2016  
 DRAWN BY: A.B. SCALE: 1 in. = 100 ft.  
 TRACED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

**2016-039**

*Exhibit 1B*

R/W 2016-039

R.P. 955, L.C. AW. 10216

TO MAHU

LOT 70-C

LOT 2

(F.P. 2156)

WAIMANALO AGRICULTURAL PARK  
PHASE II - FARMLOT SUBDIVISION

GOVERNMENT

(Crown)

LAND

OF

LOT 2

(F.P. 2156)

LOT 3

(F.P. 2156)

R.P. 952, L.C. AW. 235-C

AP. 1 TO KAANAANA

PARCEL 78

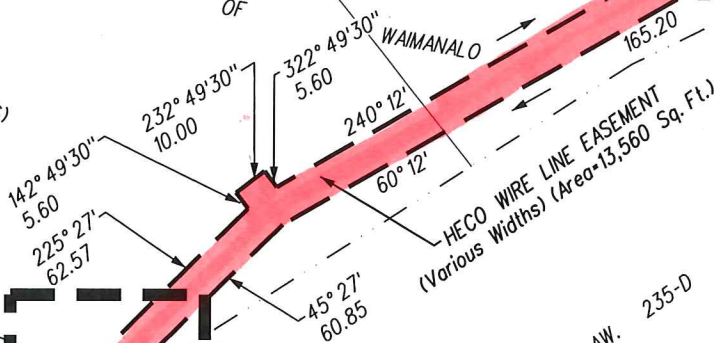
HECO R/W  
1954-058A

Tax Map Key: 4-1-010;095

SEE INSET 4  
Sht. 6 of 6

MATCH LINE

SEE INSET 3  
Sht. 5 of 6



R.P. 966, L.C. AW. 235-D TO KUAHILI

**HAWAIIAN ELECTRIC COMPANY, INC.  
HONOLULU, HAWAII**

Right of Way for a HECO Wire Line Easement affecting LOT 2 of the "WAIMANALO AGRICULTURAL PARK, PHASE II - FARMLOT SUBDIVISION (F.P. 2156) and Government (Crown) Land of Waimanalo. Situated off Waikupanaha Street. At Waimanalo, Koolaupoko, Oahu, Hawaii

DESIGNED BY: W.O. CHECKED BY: \_\_\_\_\_  
SURVEYED BY: \_\_\_\_\_ DATE: August 11, 2016  
DRAWN BY: A.B. SCALE: 1 in. = 40 ft.  
TRACED BY: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_

**2016-039**

*Exhibit 1c*

**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 to Hawaiian Electric Company Inc. and to Hawaiian Telcom, Inc., for Utility Purposes

Project / Reference No.: PSF 16OD-143

Project Location: Waimanalo, Koolauapoko, Oahu; Tax Map Key: (1) 4-1-010:095 portion

Project Description: Issuance of a Perpetual Non-Exclusive Easement and the Cancellation of Two (2) Revocable Permits

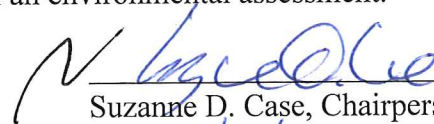
Chapter 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources, concurred with by the Environmental Council on June 5, 2015, the subject request includes the issuance of an easement which is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, item 46, which states, "Creation or termination of easement, covenants, or other rights in structures or land."

The subject request consists of the issuance of a perpetual non-exclusive easement to replace two (2) revocable permits serving utility purposes. Further, the subject request requires the creation of an easement to serve utility purposes covering the same area of land that the current revocable permits include. As such, the subject request involves negligible or no expansion or change of use beyond that previously existing.

Consulted Parties: Agencies as noted in the submittal.

Recommendation: It is anticipated 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.

  
\_\_\_\_\_  
Suzanne D. Case, Chairperson  
Date: 1/17/17

**EXHIBIT 2**