

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

June 9, 2017

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

MOA #4210
Statewide

Amend Prior Board Action of December 9, 2016, Item D-10, Issuance of License Agreements by the Board of Land and Natural Resources to the Department of Defense for Installation, Operation and Maintenance of Civil Defense Warning Sirens on Land under the Direct Management of the Department of Land and Natural Resources, Statewide, at the following TMK Nos:

*(1) 1-5-041:006, (1) 8-2-001:001, (1) 4-6-005:009, (1) 5-6-001:024,
(1) 5-3-011:009, (1) 4-1-015:016, (1) 2-3-037:012, (2) 2-1-006:030, (2) 1-3-
005:009, (2) 1-4-007:009, (3) 6-6-002:005, (3) 1-3-007:026, and (3) 8-9-004:008*

The Purpose of the Amendment is to correct the Tax Map Key reference for the Department of Defense (DOD) siren site at Hapuna Beach Park, Siren ID No. HA404 from TMK: (3) 6-6-002:005 to TMK: (3) 6-6-002:035.

BACKGROUND:

At its meeting of December 9, 2016, Item D-10, the Board of Land and Natural Resources approved the issuance of license agreements to the Department of Defense for thirteen (13) siren sites. One of the sites was incorrectly identified as TMK (3) 6-6-002:005 for Hapuna Beach Park (Siren ID No. HA-404). The correct tax map key is TMK: (3) 6-6-002:035. A copy of the approved submittal is attached as **Exhibit 1** (with Exhibits A – A13 & Exhibit B).

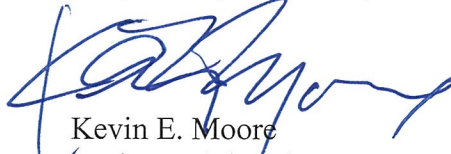
Upon approval of today's request, staff will work with the Department of the Attorney General to issue the License Agreements for the Island of Hawaii.

RECOMMENDATION: That the Board:

1. Amend its prior Board action of December 9, 2016, Item D-10, to confirm that the correct TMK no. for the Department of Defense siren site at Hapuna Beach Park, Siren ID No. HA404 is TMK No. (3) 6-6-002:035.

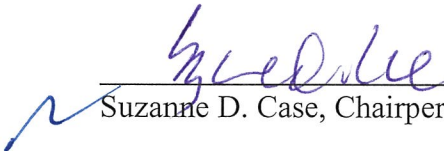
2. Except as amended hereby, all terms and conditions listed in the Board's action of December 9, 2016 shall remain the same.

Respectfully Submittal,



Kevin E. Moore
Assistant Administrator

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

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

December 9, 2016

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON
December 9, 2016 4:30

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

MOA #4210
Statewide

Issuance of License Agreements by the Board of Land and Natural Resources to the Department of Defense for Installation, Operation and Maintenance of Civil Defense Warning Sirens on Land under the Direct Management of the Department of Land and Natural Resources, Statewide, at the following TMK Nos:

(1) 1-5-041:006, (1) 8-2-001:001, (1) 4-6-005:009, (1) 5-6-001:024,
(1) 5-3-011:009, (1) 4-1-015:016, (1) 2-3-037:012, (2) 2-1-006:030, (2) 1-3-
005:009, (2) 1-4-007:009, (3) 6-6-002:005, (3) 1-3-007:026, and (3) 8-9-004:008

APPLICANT:

Department of Accounting and General Services ("DAGS") on behalf of the Department of Defense ("DOD").

LEGAL REFERENCE:

Sections 171-11, Hawaii Revised Statutes ("HRS"), as amended.

LICENSE AREA:

Typically for each location, 16 square feet, more or less, located within the sites as shown on **Exhibits A – A13**.

TABLE 1: ZONING AND TRUST LAND STATUS:

Tax Map Key No.	State LUD	County CZO	Trust Land Status
(1) 1-5-041:006 Sand Island State Recreation Area	Urban	I-2, I-3, P-2	PL-88-233
(1) 8-2-001:001 Makua Cave	Conservation	P-1	5(b)

(1) 4-6-005:009 Heeia State Park	Urban	P-1, P-2	Acquired after 8/59
(1) 5-6-001:024 Malaekahana State Recreation Area	Ag, Urban	R-5	Acquired after 8/59
(1) 5-3-011:009 Sacred Falls Park	Ag, Conservation, Urban	AG-2, P-1, P-2, R-5	Acquired after 8/59
(1) 4-1-015:016 Waimanalo Town BWS	Urban	B-1, F-1, R-5	5(b)
(1) 2-3-037:012 Ala Wai Yacht Harbor	Urban	P-2	5(a)
(2) 2-1-006:030 Makena State Park	Ag, Conservation, Rural, Urban	A-2, Beach ROW, Open, PK Park, Proposed Road, R-3	Acquired after 8/59
(2) 1-3-005:009 Waianapanapa State Park	Ag, Conservation	Interim	Acquired after 8/59
(2) 1-4-007:009 Hamoā – 2	Ag, Conservation, Rural	Ag, Interim	5(b)
(3) 6-6-002:005 Hapuna Beach State Recreation Area	Conservation, Urban	Open	5(b)
(3) 1-3-007:026 MacKenzie State Park	Conservation	Open	5(b)
(3) 8-9-004:008 Hoopuloa	Conservation	Open	5(b)

TABLE 2: CURRENT USE STATUS:

Tax Map Key No.	Encumbrances
(1) 1-5-041:006	Executive Order (“EO”) 2704 to DLNR, Division of State Parks (“DSP”) for park purposes; EO 1188 to the City and County for Honolulu (“CCH”) for sewer treatment plant; EO 4494 to DLNR, Division of Boating and Ocean Recreation for boat launch purposes; LOD 28835 to Hawaiian Electric Co., Inc. (“HECO”) for utility easement; Land Office Deed (“LOD”) 26186 to CCH for sewer easements; LOD 28274 to CCH for waterline easement; Right-of-Entry 4207 to the University of Hawaii for educational and research purposes
(1) 8-2-001:001	EO 3338 to DLNR, DSP for park purposes; General Lease S-3848 to the United States of America, U.S. Army Engineer Division for military purposes
(1) 4-6-005:009	EO 3519 to DLNR, DSP for park purposes
(1) 5-6-001:024	EO 3928 to DLNR, DSP for park purposes

(1) 5-3-011:009	EO 2830 to DLNR, DSP for park purposes; EO 4446 to DLNR, Division of Forestry & Wildlife for the Kaluanui Natural Area Reserve; LOD 27849 to HECO for utility easement
(1) 4-1-015:016	LOD 29005 to Olomana Estates, LLC for access purposes
(1) 2-3-037:012	EO 1795 to the Board of Harbor Commissioners ("BHC") for the Ala Wai Boat Harbor; EO 1330 to the BHC for addition to Kewalo and Ala Wai Yacht Basins; EO 2575 to the Department of Transportation, Harbors Division for addition to the Ala Wai Harbor; LOD 28962 to Department of Defense for civil defense sirens
(2) 2-1-006:030	EO 4184 to DLNR, DSP for park purposes; LOD 28699 to Maui Electric Company, Ltd. and Hawaiian Telcom, Inc. for utility purposes
(2) 1-3-005:009	EO 4183 to DLNR, DSP for park purposes
(2) 1-4-007:009	Revocable Permit 7608 to William F. & William G. Jacintho for pasture purposes; LOD 28679 to Hana Beachfront Associates for access and utility easements
(3) 6-6-002:005	EO 2909 to DLNR, DSP for park purposes; LOD 28463 to Verizon Hawaii, Inc. for utility easement
(3) 1-3-007:026	EO 4021 to DLNR, DSP for park purposes
(3) 8-9-004:008	Unencumbered

CHARACTER OF USE:

Civil Defense Disaster Warning and Communication Devices purposes.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules ("HAR") Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51. See **Exhibit B**.

Also, DAGS' and DOD's Declaration of Exemptions from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR, for all of the sites listed on Exhibit A have been received.

BACKGROUND:

The DOD is implementing the State's new civil defenses disaster warning and communications system (the "Project") throughout the State of Hawaii which is integral

to public safety. DAGS is DOD's agent to implement the Project which involves a major overhaul of the existing siren network.

At its meeting on August 14, 2015, under agenda item D-12, the Board of Land and Natural Resources ("Board") approved the negotiation and execution of a Memorandum of Agreement ("MOA") among the Department of Land and Natural Resources ("Department"), DOD and DAGS for civil defense warning sirens on lands under the direct management of the Department.

At its meeting on December 11, 2015, under agenda item D-13, staff amended the prior Board action of August 14, 2015, based on the recommendation by the Department of Attorney General, to obtain approval from the Board for the license agreements for each siren site and report on compliance with Hawaii Revised Statutes Chapter 343.

On March 18, 2016, MOA #4210 among the Department, DOD and DAGS (**Exhibit C**) was duly executed and provides the framework for the land dispositions for the Project. In accordance with the MOA, a license agreement will be issued for each siren location. The license agreement is designed to be site-specific, includes a site map with drawings of the siren and equipment, together with other terms and conditions required by the Department. A sample for the license agreement is attached as **Exhibit D**.

REMARKS:

Staff now seeks Board approval to issue license agreements for the sites identified in Exhibit A. A draft of this submittal was disseminated to all divisions of the Department, the County Emergency Management Agencies and the Office of Hawaiian Affairs for review and comment. The Division of Aquatic Resources, Division of Boating & Ocean Recreation, Division of Forestry & Wildlife, and Land Division – Oahu District & Hawaii District had no comments or objections. The following divisions provided comments: Division of Engineering (**Exhibit E**), Division of State Parks (**Exhibit F**) and Office of Conservation & Coastal Lands (**Exhibit G**). OCCL asked to be contacted about potential permitting approvals that may be required once project details become available for each site.

Finally, the Commission on Water Resource Management, State Historic Preservation Division, and Land Division – Maui District; the City and County of Honolulu's Department of Emergency Management and the Maui County's Civil Defense; and the Office of Hawaiian Affairs did not respond at the time this submittal was prepared.

RECOMMENDATION: That the Board:

- A. 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 environmental and is therefore exempt from the preparation of an environmental assessment.

B. Authorize the issuance of license agreements to the Department of Defense, subject to applicable conditions cited above which are by this reference incorporated herein and further subject to following:

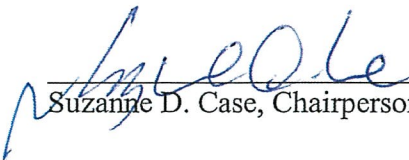
1. The license agreements shall be substantially in the form of Exhibit D attached hereto;
2. Review and approved by the Department of the Attorney General; and
3. Other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Kevin E. Moore
Assistant Administrator

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

LOCATION (DOD Designated Siren Name)	TMK	Siren ID No.
Sand Island Park	(1) 1-5-041:006	OA131
Makua Cave	(1) 8-2-001:001	OA328
Heeia Kea State Park	(1) 4-6-005:009	OA414
Malaekahana Beach Park	(1) 5-6-001:024	OA429
Sacred Falls Park	(1) 5-3-011:009	OA423
Waimanalo Town BWS	(1) 4-1-015:016	OA402B
Ala Wai Yacht Harbor	(1) 2-3-037:012	OA118A
Big Beach, Makena	(2) 2-1-006:030	MA158
Waianapanapa State Park	(2) 1-3-005:009	MA305
Hamoia - 2	(2) 1-4-007:009	MA304A
Hapuna Beach Park	(3) 6-6-002:005	HA404
MacKenzie State Park	(3) 1-3-007:026	HA941
Hoopuloa	(3) 8-9-004:008	HA707

Exhibit A

SITE LOCATION MAP

ISLAND: Oahu

SITE NAME: Sand Island Park - OA131

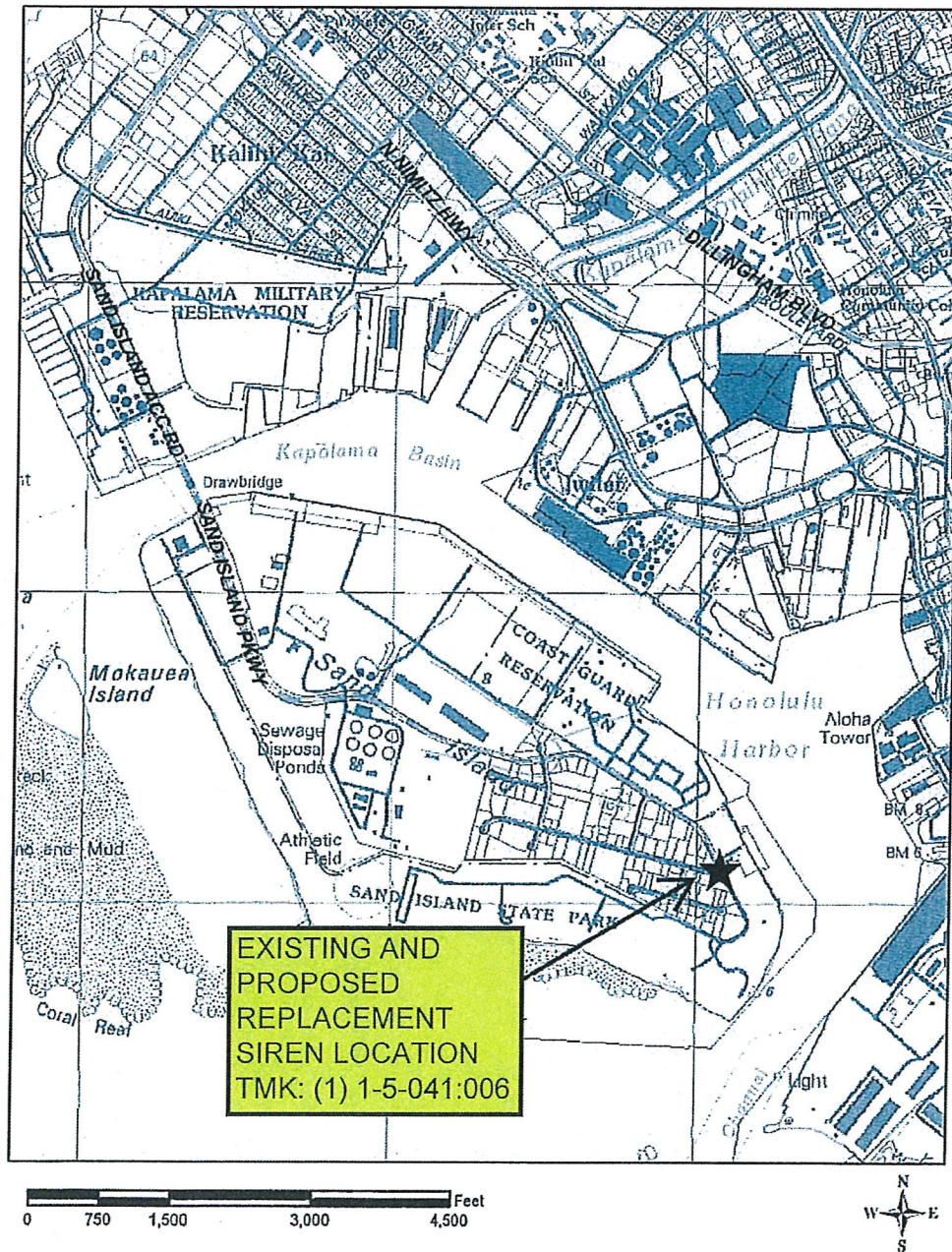


Exhibit A1

SITE LOCATION MAP

ISLAND: OAHU

SITE NAME: Makua Cave - OA328

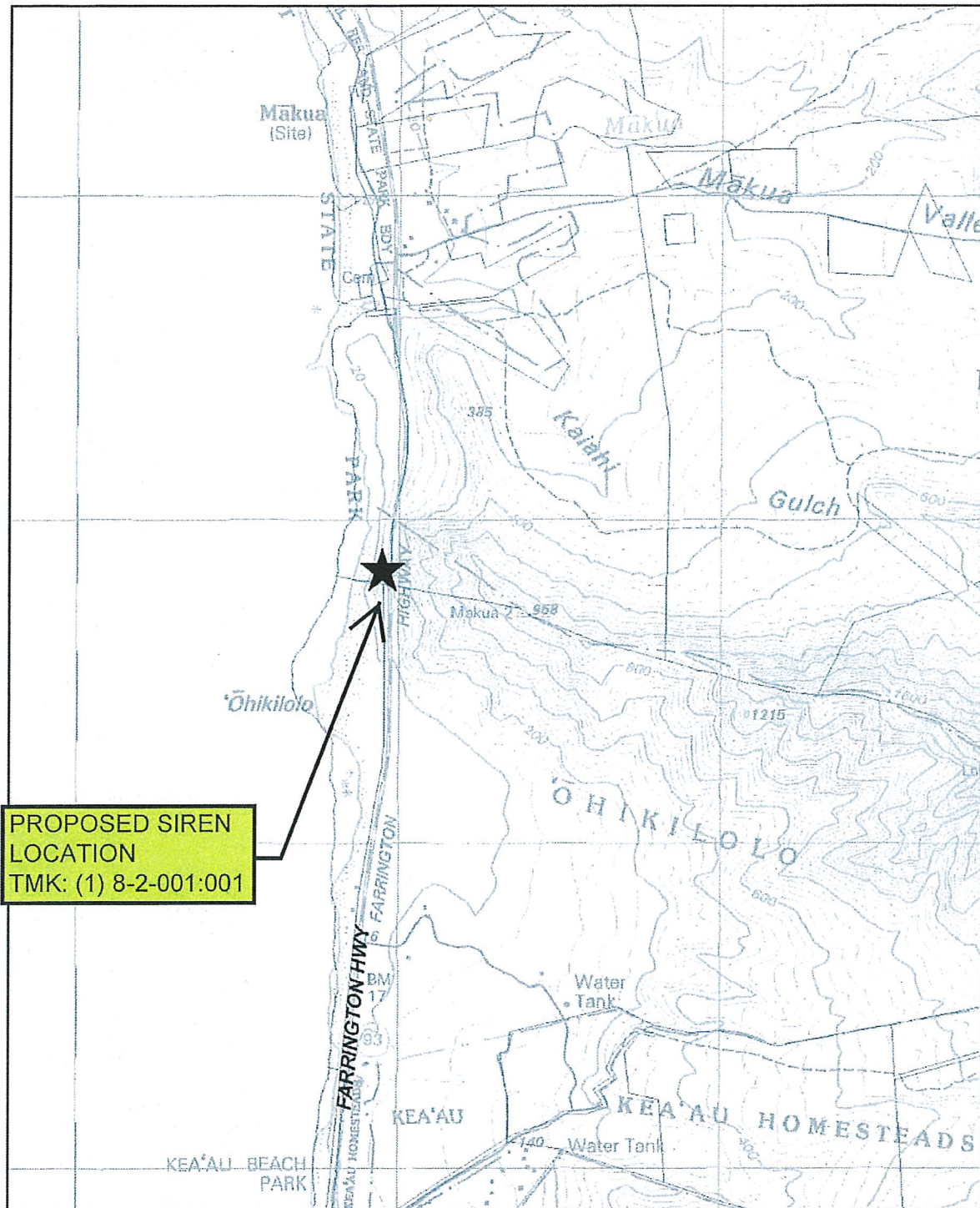


Exhibit A2

SITE LOCATION MAP

ISLAND: OAHU

SITE NAME: Hee'ia Kea State Park - OA414

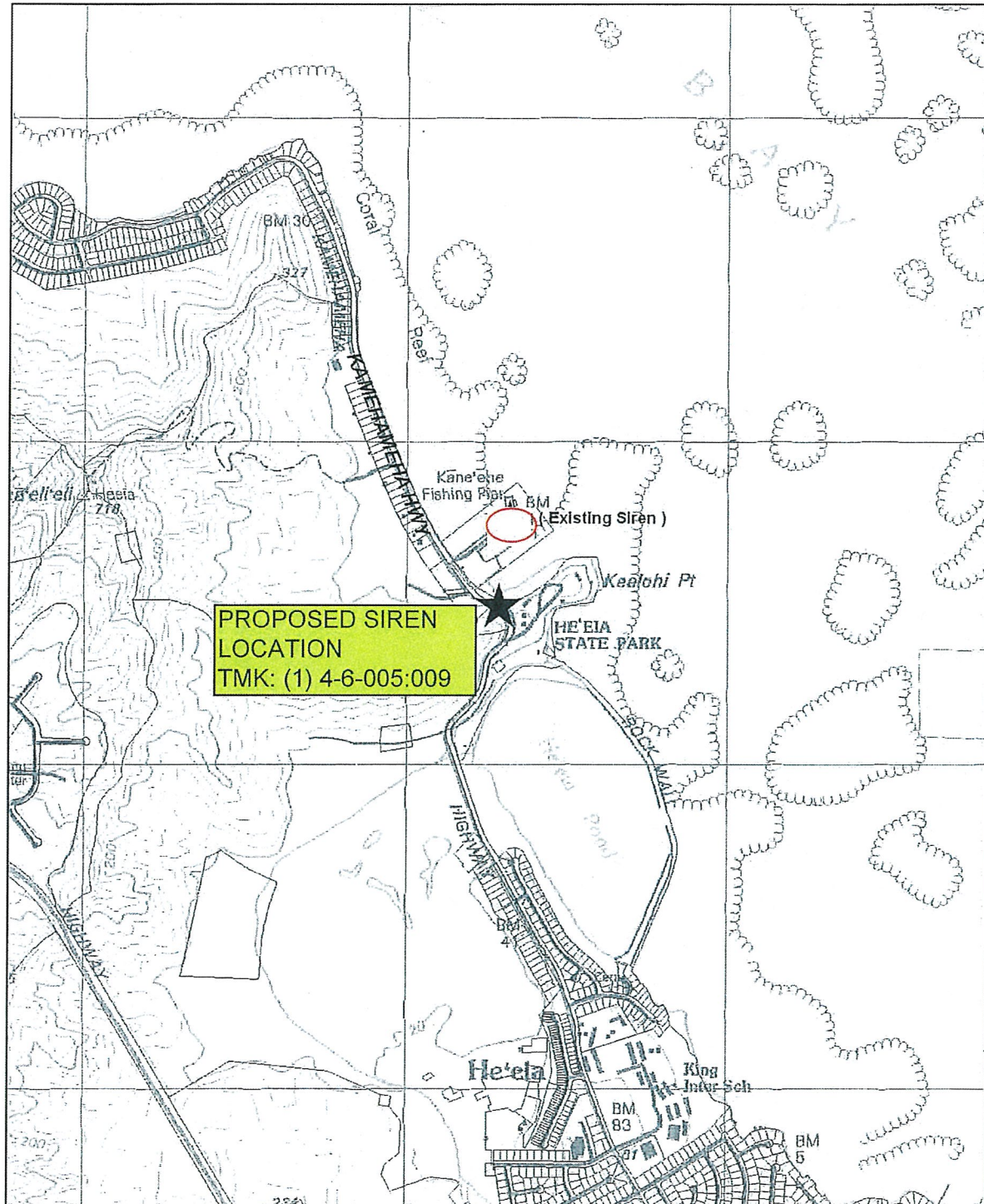
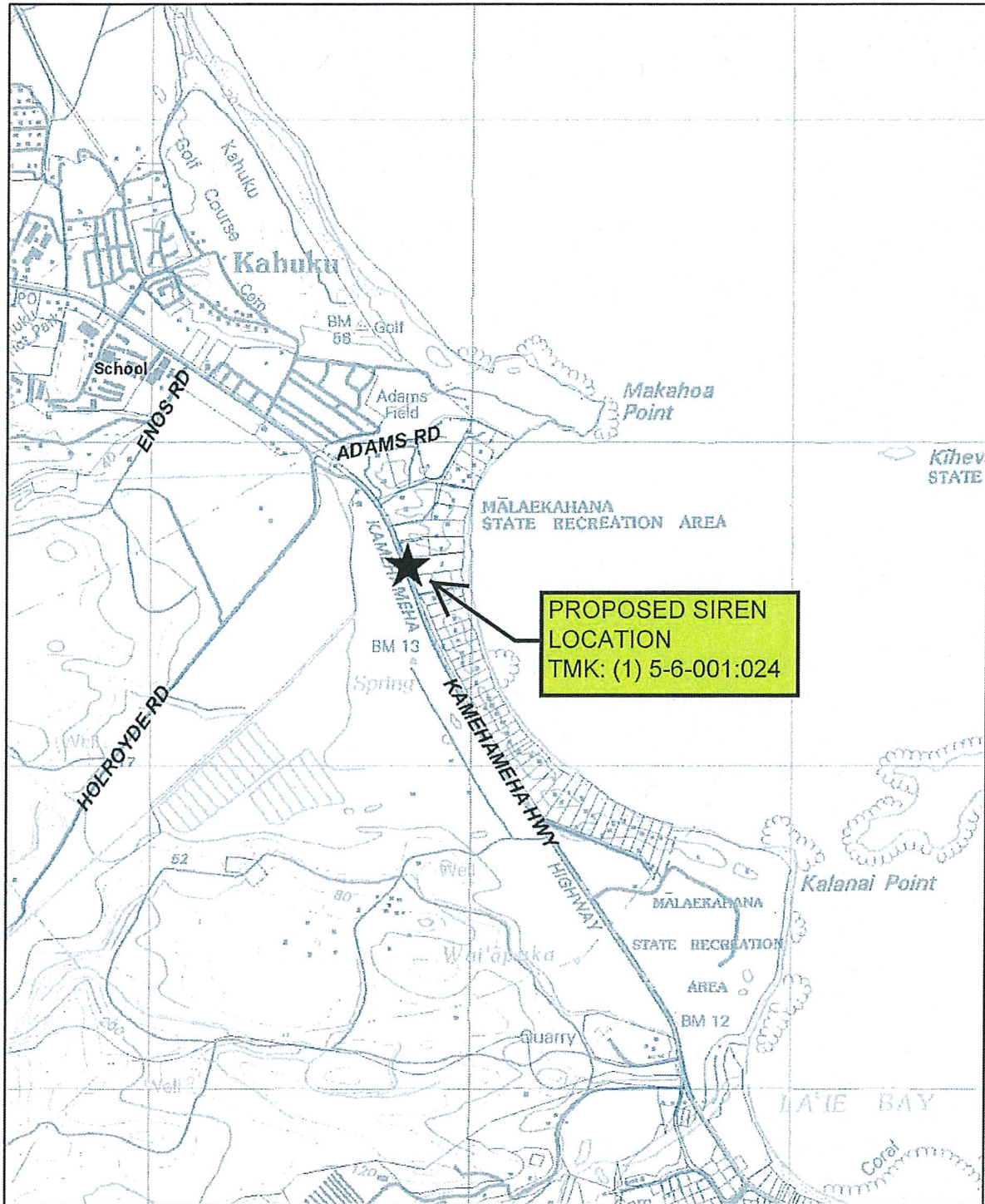


Exhibit A3

SITE LOCATION MAP

ISLAND: Oahu

SITE NAME: Malaekahana Beach Park - OA429



0 750 1,500 3,000 4,500 Feet

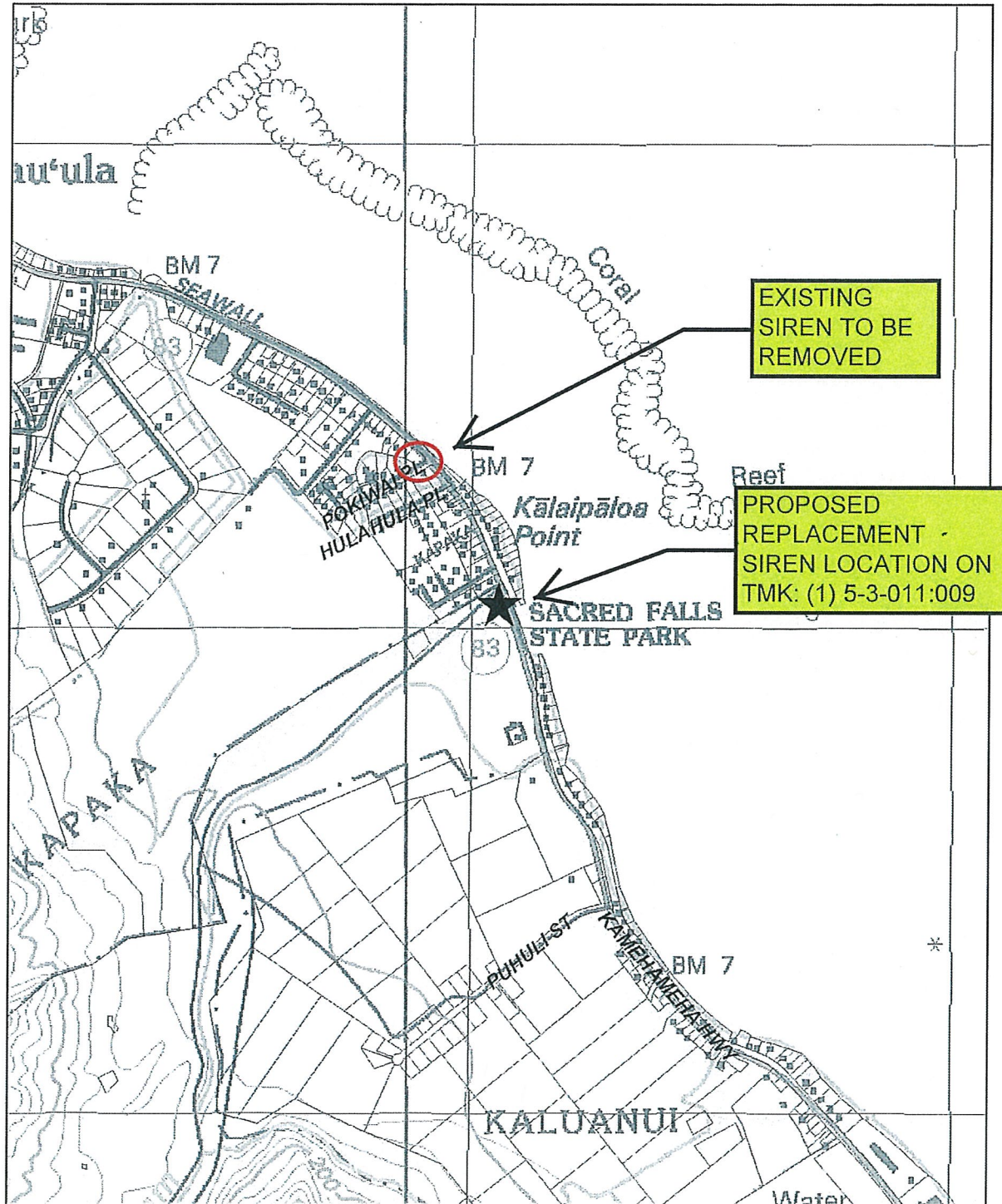
Exhibit A4



SITE LOCATION MAP

ISLAND: OAHU

SITE NAME: Sacred Falls Park - OA423



0 500 1,000 2,000 3,000 Feet

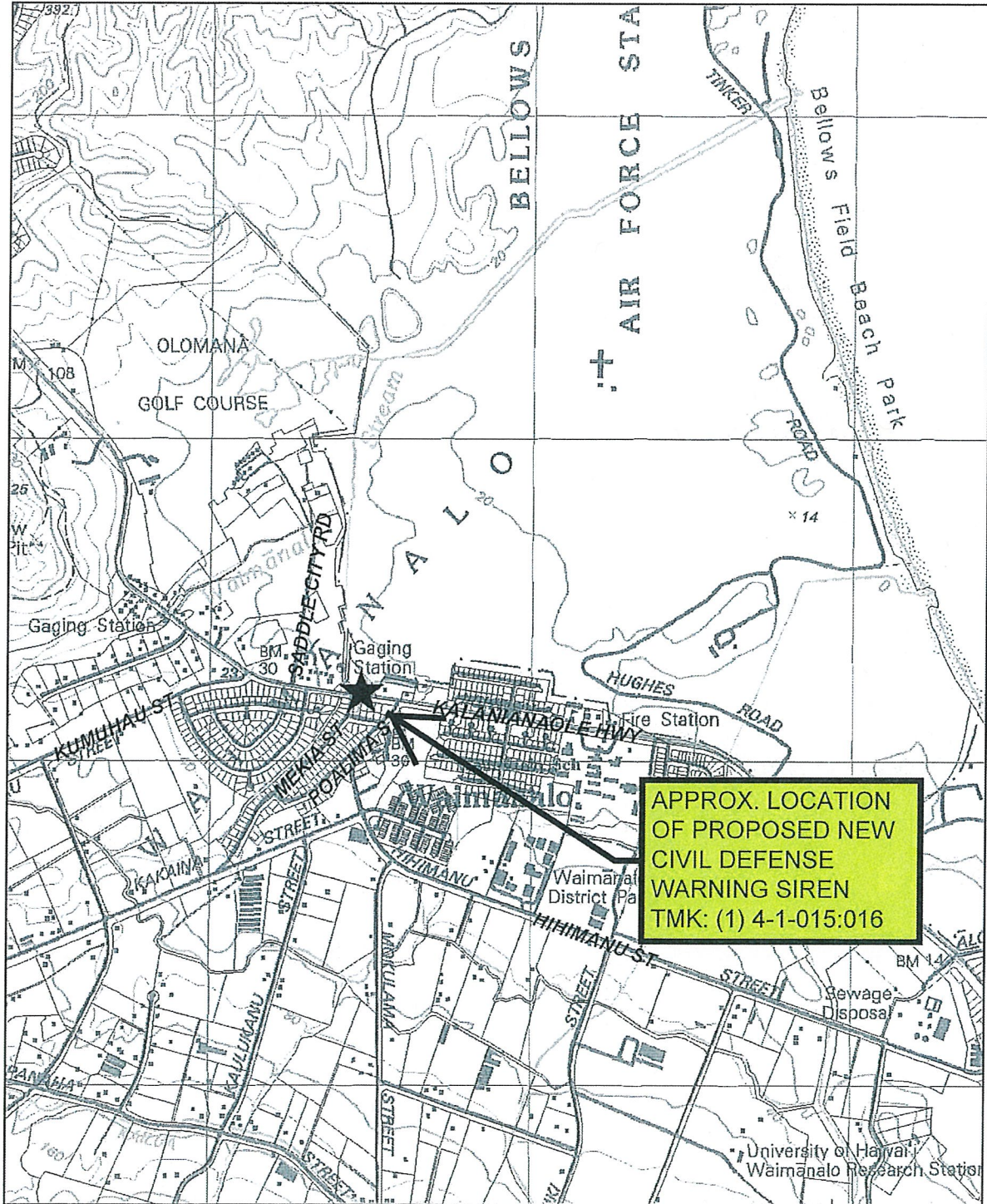
Exhibit A5



SITE LOCATION MAP

ISLAND: OAHU

SITE NAME: Waimanalo Town BWS - OA402B



0 750 1,500 3,000 4,500 Feet

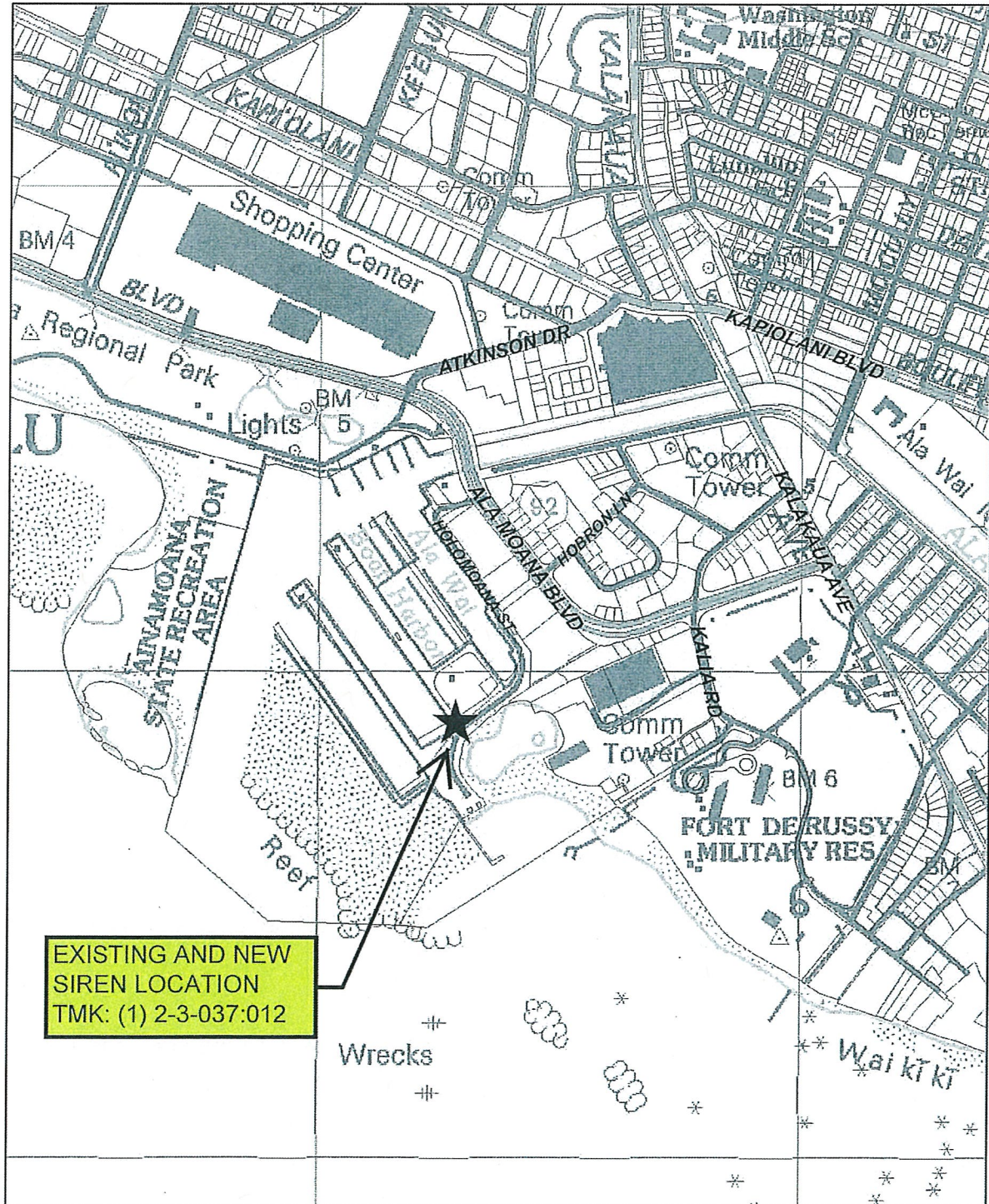


Exhibit A6

SITE LOCATION MAP

ISLAND: OAHU

SITE NAME: Ala Wai Yacht Harbor - OA118A



EXISTING AND NEW
SIREN LOCATION
TMK: (1) 2-3-037:012

0 500 1,000 2,000 3,000 Feet



Exhibit A7

SITE LOCATION MAP

ISLAND: Maui

SITE NAME: Big Beach, Makena - MA158

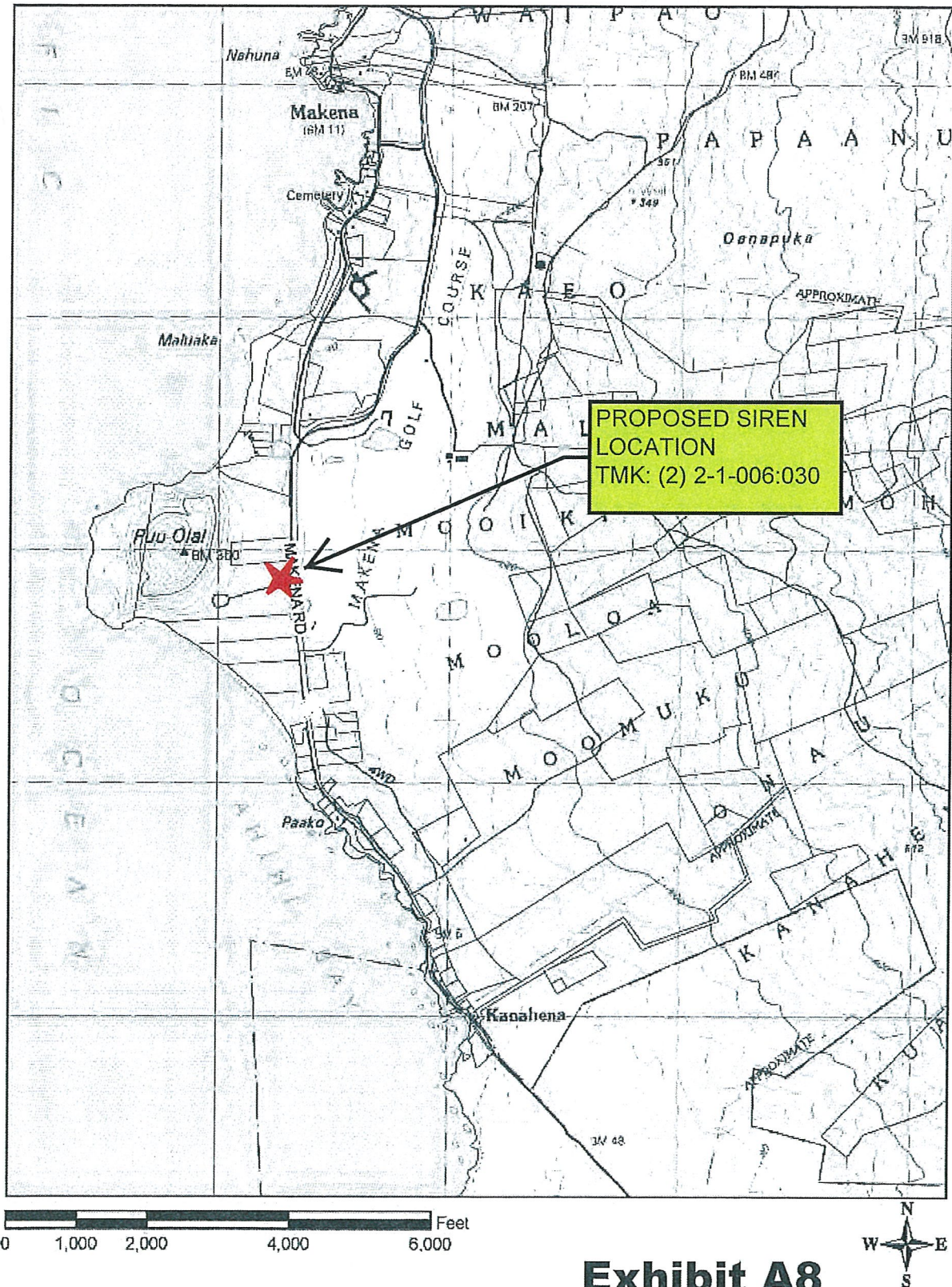


Exhibit A8

SITE LOCATION MAP

ISLAND: Maui

SITE NAME: Waianapanapa State Park – MA305

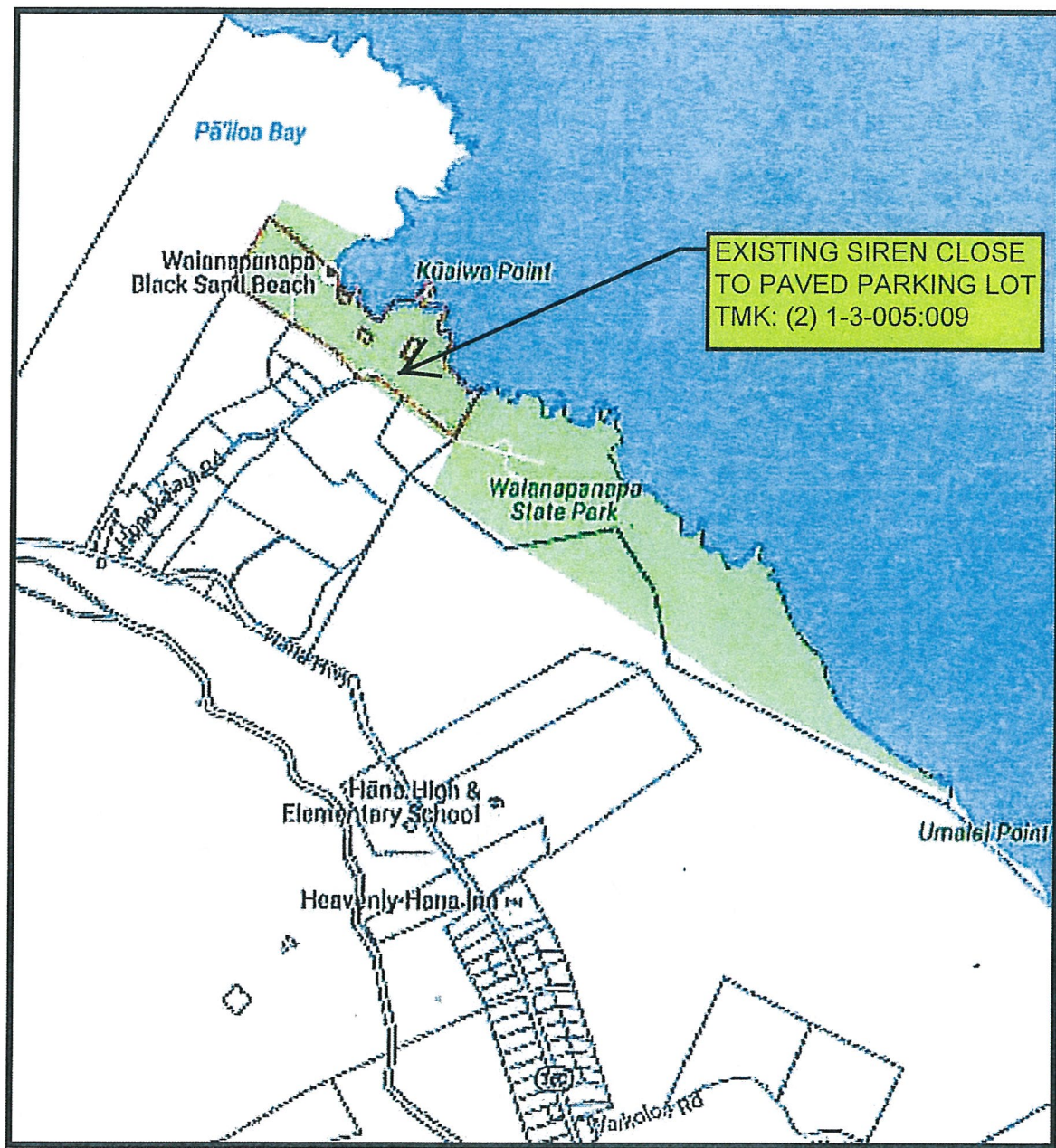


Exhibit A9

SITE LOCATION MAP

ISLAND: Maui

SITE NAME: Hamoa 2 – MA304A

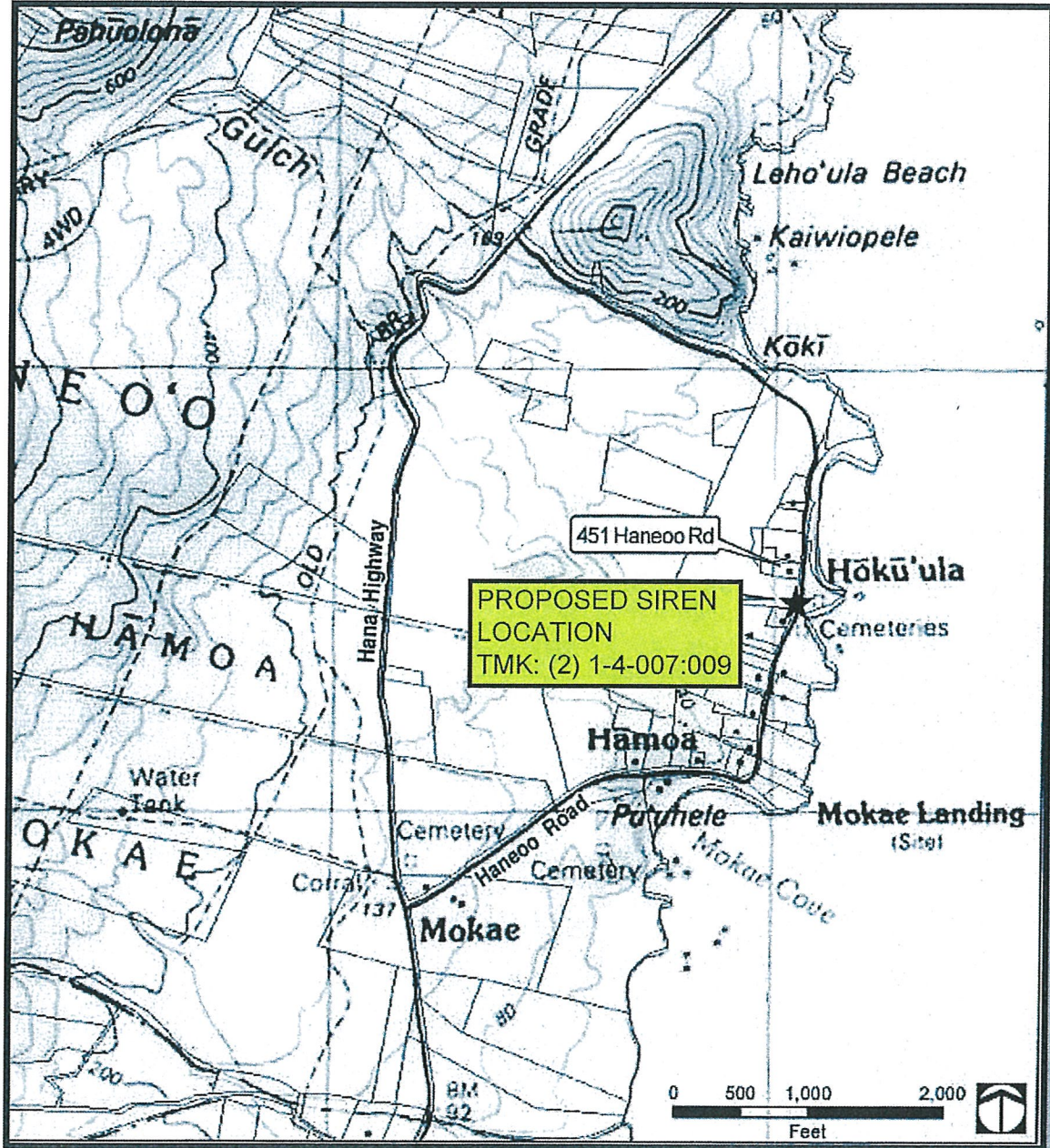


Exhibit A10

SITE LOCATION MAP

ISLAND: Hawaii

SITE NAME: Hapuna Beach Park – HA404

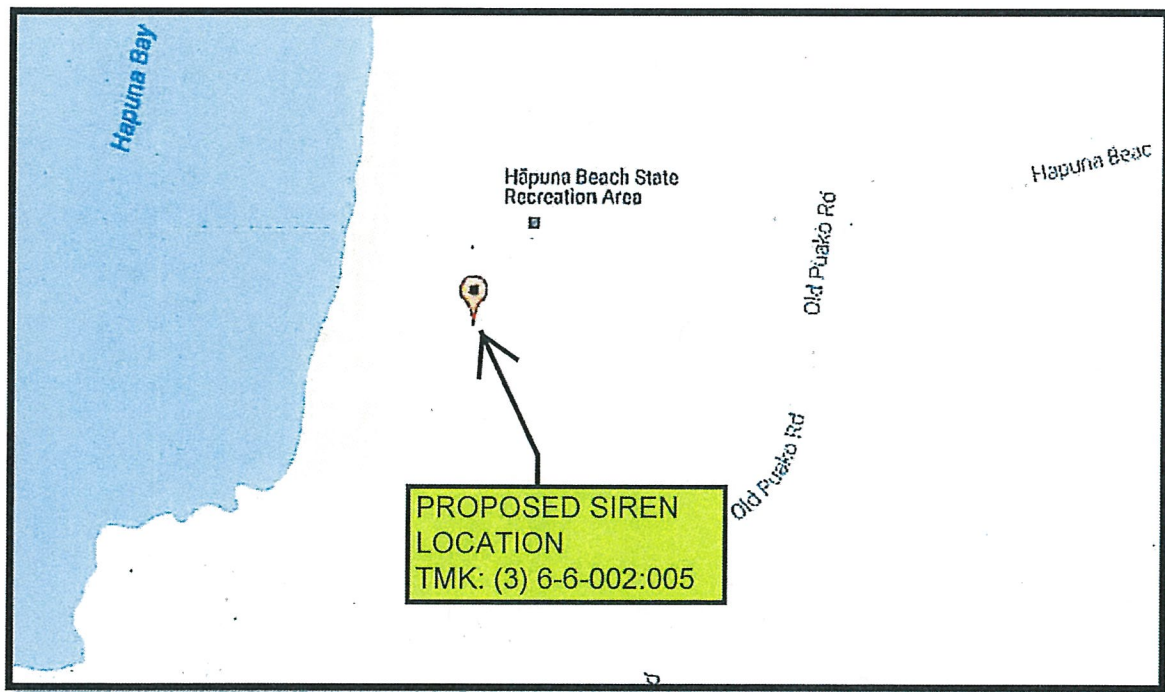


Exhibit A11

SITE LOCATION MAP

ISLAND: Hawaii

SITE NAME: MacKenzie State Park - HA941

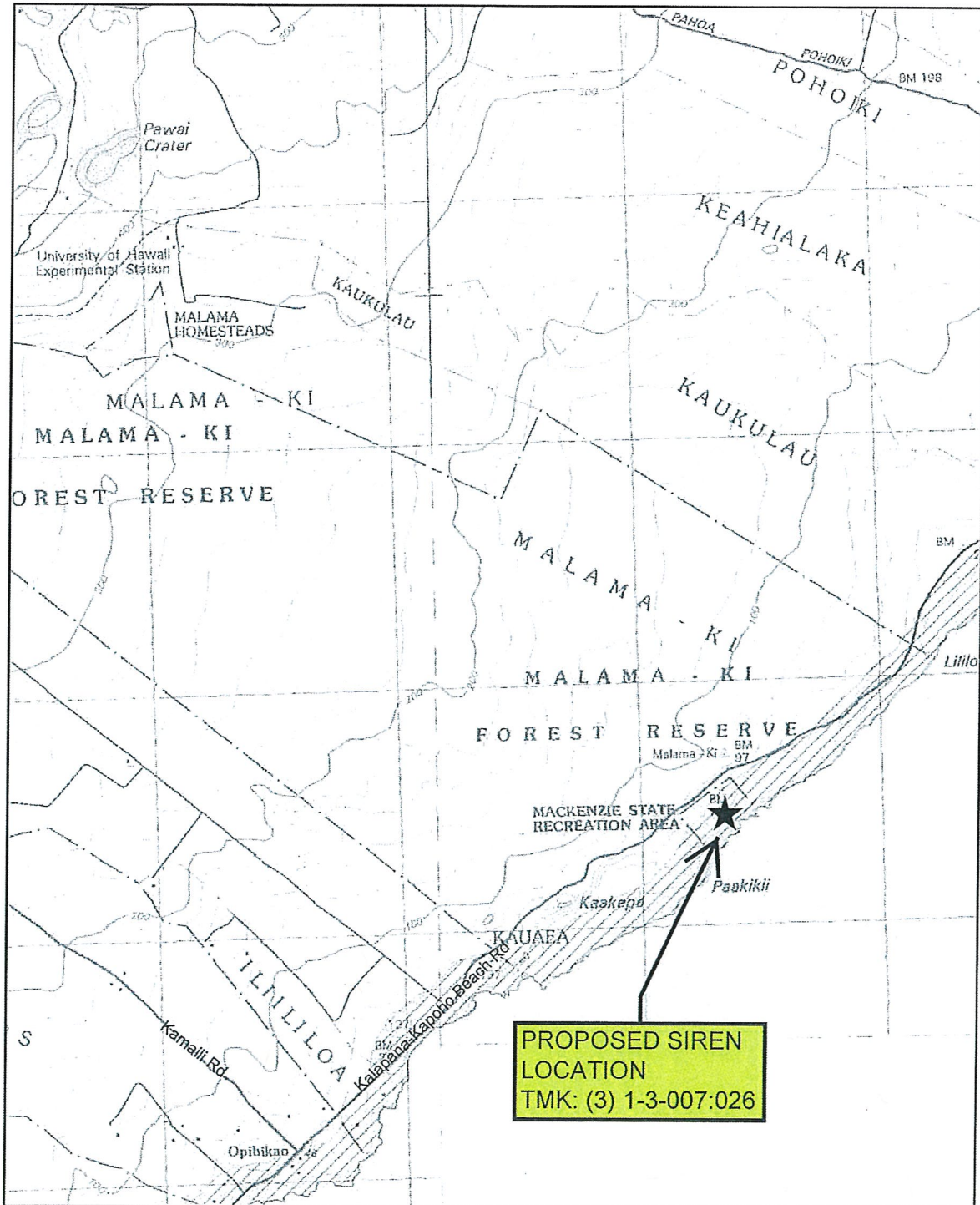


Exhibit A12

SITE LOCATION MAP

ISLAND: Hawaii

SITE NAME: Hoopuloa - HA707

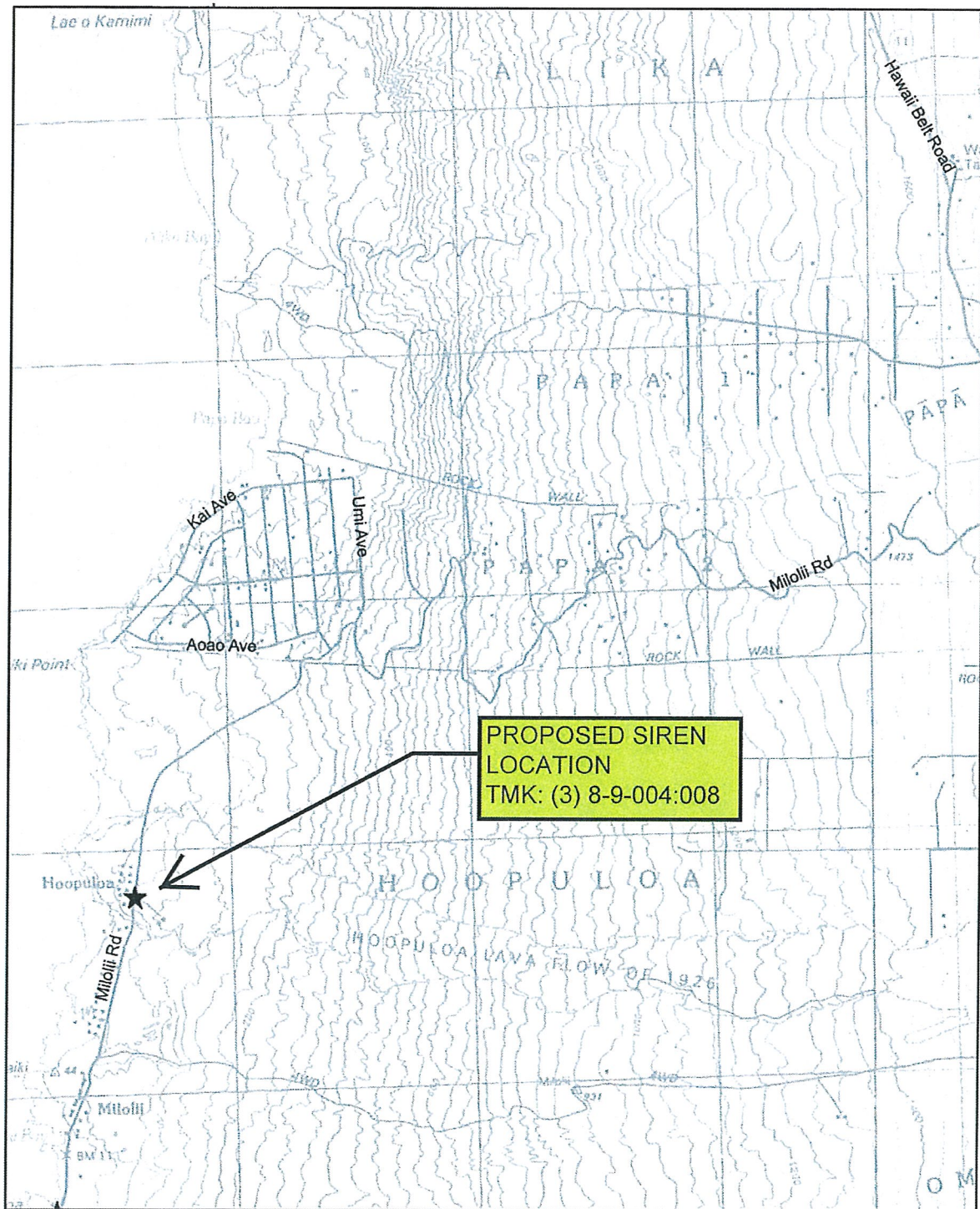
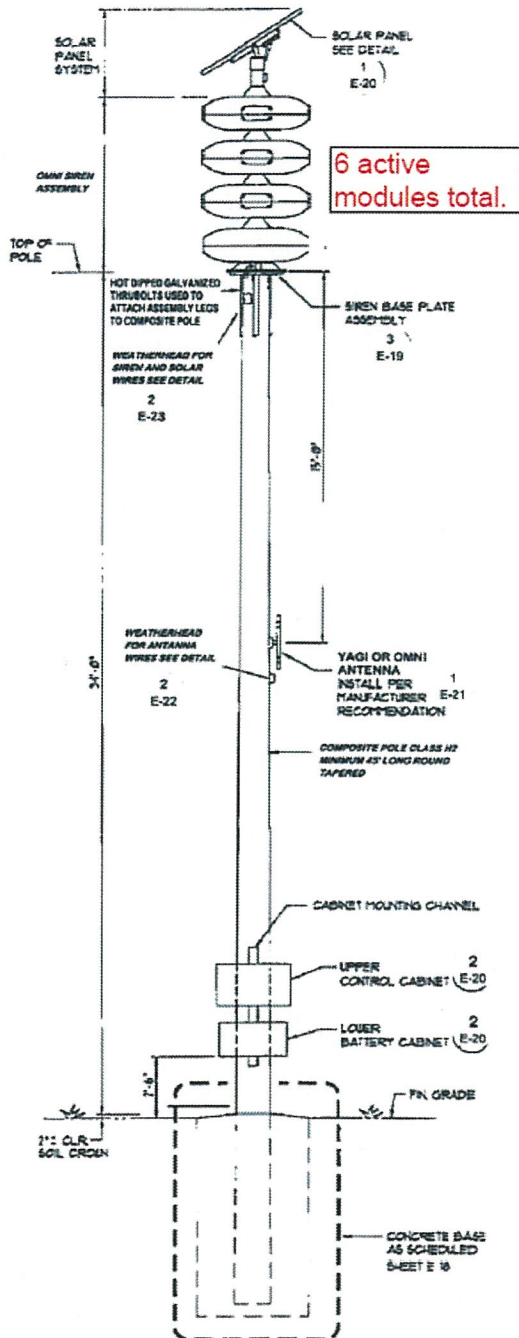
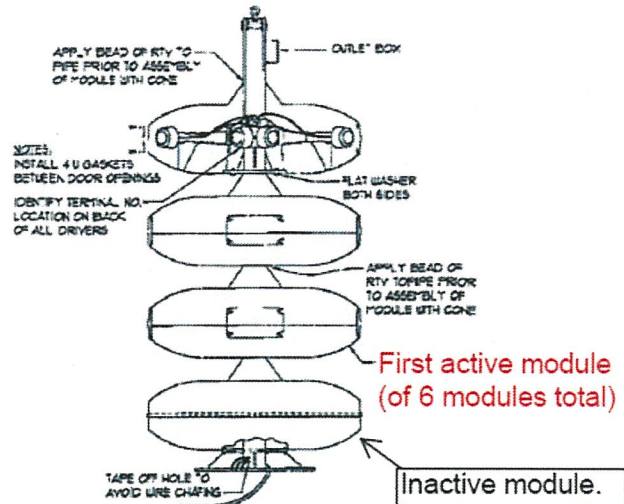


Exhibit A13

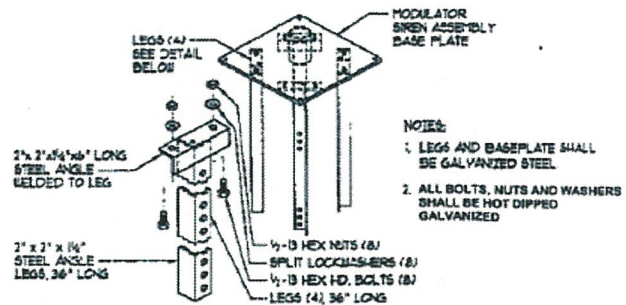
EXHIBIT B



1 POLE ELEVATION - MOD 6024
E-19 OMNI EQUIPMENT
NOT TO SCALE



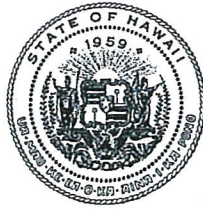
2 DETAIL - SIREN MOD 6024
E-19 NOT TO SCALE



3 DETAIL - SIREN BASE PLATE ASSEMBLY
E-19 NOT TO SCALE

Hawaii State Civil Defense			
POLE ELEVATION, SIREN AND BASEPLATE DETAIL			
Siren Type MOD 6024			
SIZE	FROM NO.	TO NO.	REV.
SCALE	NOT TO SCALE	SHEET	1 OF 1

DAVID Y. IGE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

December 9, 2016

SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKOA KALUHIWA
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

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

Project Title: Issuances of License Agreement by the Board of Land and Natural Resources to the Department of Defense for Installation, Operation and Maintenance of Civil Defense Warning Sirens on Land under the Direct Management of the Department of Land and Natural Resources

Project / Reference No.: MOA #4210

Project Location: Statewide, at the following TMK Nos.:
(1) 1-5-041:006, (1) 8-2-001:001, (1) 4-6-005:009, (1) 5-6-001:024, (1) 5-3-011:009, (1) 4-1-015:016, (1) 2-3-037:012, (2) 2-1-006:030, (2) 1-3-005:009, (2) 1-4-007:009, (3) 6-6-002:005, (3) 1-3-007:026, and (3) 8-9-004:008

Project Description: The Department of Defense is implementing the State's new civil defenses disaster warning and communications system throughout the State of Hawaii which is integral to public safety

Chap. 343 Trigger(s): Use of State Lands and Funds

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2016, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, item 51, that states "Permits, licenses, registration, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing"

Exhibit B

Consulted Parties:

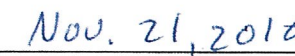
As noted in the submittal

Recommendation:

That the Board finds 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