

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

January 12, 2018

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

EO3947  
EO4075

OAHU

Issuance of Right-of-Entry Permit for Due Diligence to Hawaiian Electric Company, Inc. on Lands Encumbered by Executive Order No. 3947 for Harbor Purposes, and Executive Order No. 4075 for Government Services Purposes, Mokauea, Kalihi and Kapalama, Honolulu, Oahu, Tax Map Key: (1) 1-2-025: Various (see project boundary on Exhibit A).

APPLICANT:

Hawaiian Electric Company, Inc. (HECO)

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kalihi and Kapalama, Honolulu, Oahu, identified by Tax Map Key: (1) 1-2-025: various, as shown on the attached map labeled **Exhibit A**.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: I-3

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Executive Order No. 3947 set aside to Department of Transportation for Harbor Purposes; and

Executive Order No. 4075 set aside to Department of Agriculture for Government

Services Purposes.

CHARACTER OF USE:

Due diligence purposes relating to data collection in regards to planning and development of an electrical substation.

TERM OF RIGHT-OF-ENTRY:

Three years (36 months) from date of execution.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, "Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.," item 2 that states, "Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping." See **Exhibit B**.

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:

None.

REMARKS:

Hawaiian Electric Company, Inc. (HECO) has been tasked with the planning and development of an electrical substation (shown yellow on Exhibit A) on a portion of the former Kapalama Military Reservation property to better support the development of the proposed New Kapalama Container Yard and Wharf area in conjunction with the Department of Transportation, Harbors Division.

In a letter dated November 17, 2017, HECO requested an Engineering Right-of-Entry to

the subject area. The data collection project will include environmental and geotechnical studies, surveying studies that include civil topographic surveying, and engineering studies.


In an email dated November, 27, 2017, the Department of Transportation, Harbors Division stated they are agreeable to the granting and issuance of a Right-of-Entry to HECO for the proposed project. The Department of Agriculture, Animal Industry Division was also contacted and in an email dated November 24, 2017 stated they are not opposed to the ROE, but would like the opportunity to comment on the proposed substation placement before the development plans have been finalized. Staff understands from HECO that the final location of the proposed substation would not be finalized before going through the process of soliciting comment from other agencies, including any environmental assessment process under Chapter 343, HRS, if applicable.

There are no other pertinent issues or concerns. Staff has no objection to the request.

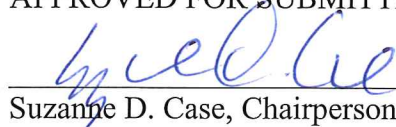
RECOMMENDATION: That the Board

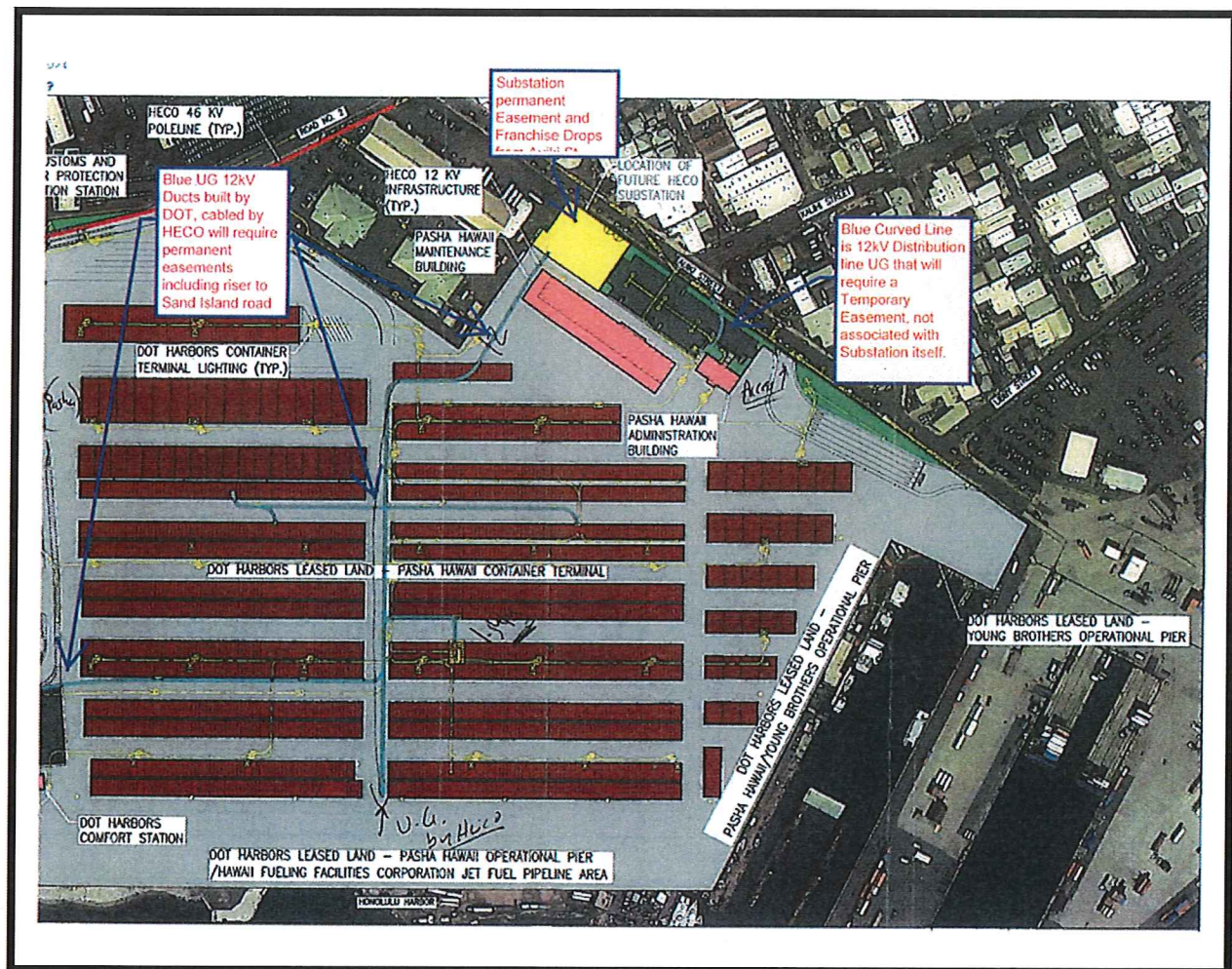
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Hawaiian Electric Company, Inc. covering the subject area 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 permit form, as may be amended from time to time;
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
  - C. Authorize the Chairperson to issue extension of right-of-entry to the Applicant in relation to its data collection project.

Respectfully Submitted,

  
Darlene Bryant-Takamatsu  
Land Agent

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson



TMK: (1) 1-2-025: various

**EXHIBIT A**



## EXEMPTION NOTIFICATION

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

Project Title: Issuance of a Right-of-Entry Permit for Due Diligence Purposes.

Project / Reference No.: EO3947 and EO4075

Project Location: Kalihi, and Kapalama, Honolulu, Oahu, Tax Map Key: (1) 1-2-025:various.

Project Description: Issuance of a right-of-entry permit for due diligence in relation to a proposed substation in the neighborhood.

Chapter 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 5, "Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.," item 2 that states, "Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping."

The subject request only pertains to non-invasive data collection. As such staff believes that the project would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties: Agencies as noted in the submittal.

Recommendation: That the Board find 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.

## EXHIBIT B