

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

July 13, 2018

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

PSF No. 18OD-066

Oahu

Issuance of Construction Right-of-Entry to the City and County of Honolulu for
Drainage Purposes, Honolulu, Oahu, Tax Map Key: (1) 3-9-003: seaward of 028.

APPLICANT:

City and County of Honolulu ("City")

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Honolulu, Oahu, Tax Map Key: (1) 3-9-003:
seaward of 028, as shown on **Exhibit A**.

ZONING:

State Land Use District:	Conservation
City and County of Honolulu	R-10 [for abutting private property]

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:

Unencumbered land.

CHARACTER OF USE:

Removal of the existing outfall structure and construction of replacement outfall culvert
for drainage purposes.

TERM:

Expire upon issuance of the requested easement described below.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200-8, Hawaii Administrative Rules (HAR), 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. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Item No. 17 that states "repair and maintenance of existing utilities and drainage systems." See **Exhibit B**.

DCCA VERIFICATION:

Not applicable. Government agency.

APPLICANT REQUIREMENTS:

None.

REMARKS:

At its meeting on February 9, 2018, under agenda K-3, the Board approved the Conservation District Use Permit (OA-3804) for the replacement of a permanent drainage outfall seaward of TMK: (1) 3-9-003:028. This is a City project to replace an outdated and ineffective drainage structure. The proposed project includes plans to remove all concrete spoils, debris, and material from the old drainage structure, then construct a new drainage outfall culvert in the footprint. On the same agenda, the Board authorized the issuance of a perpetual, non-exclusive easement for drainage purposes.

The project is scheduled to start late in 2018. The City has requested a construction right-of-entry permit to the subject area. The right-of-entry is requested to continue pending the issuance of the requested easement described above.

Staff did not solicit comments for the subject easement request as comments were solicited during the CDUA stage prior. Staff has no objection to the subject request.

RECOMMENDATION: That the Board:

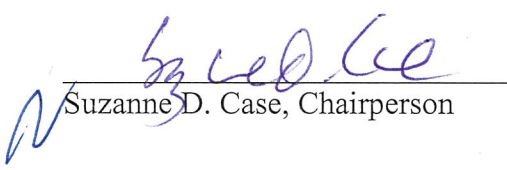
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. That the Board authorize the issuance of a construction right-of-entry to the City and County of Honolulu covering the subject area for drainage 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.

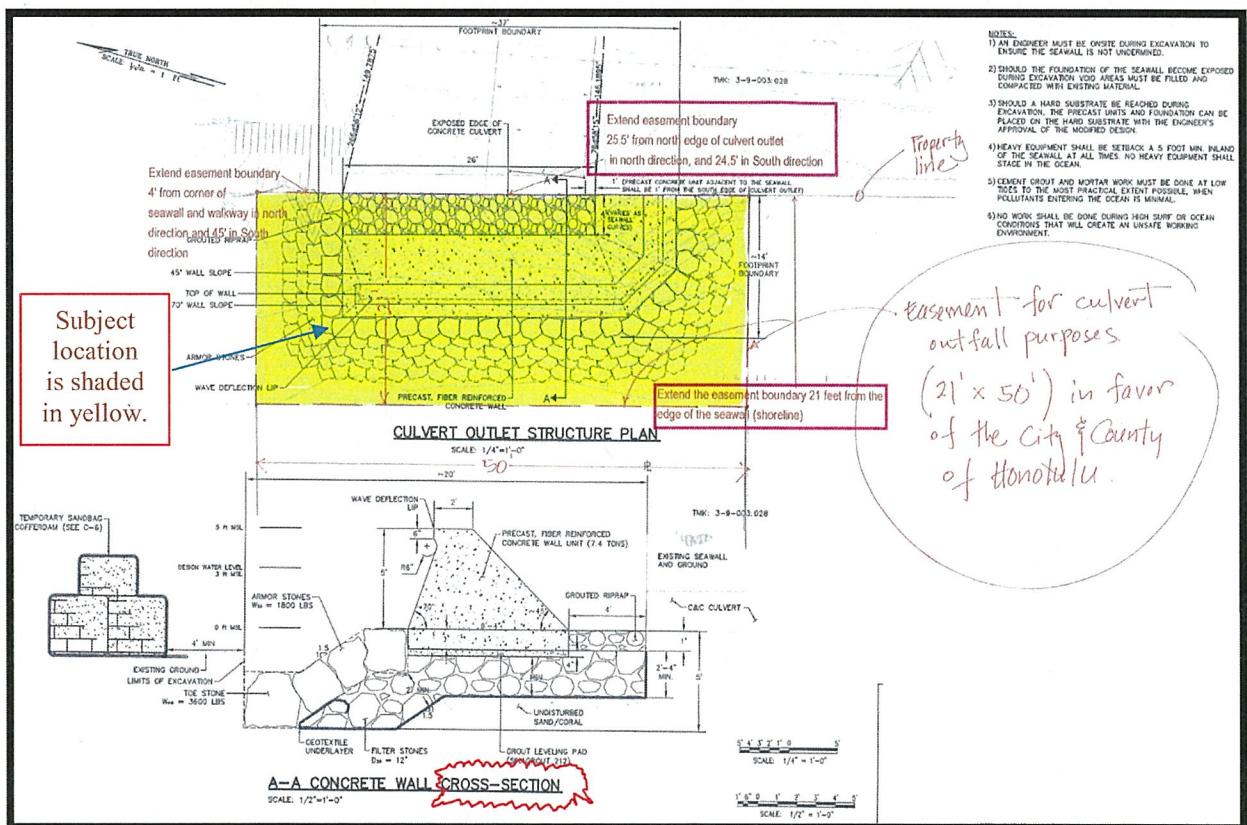
Respectfully Submitted,



Darlene Bryant-Takamatsu, Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



Tax Map Key: (1) 3-9-003: seaward of 028.

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 Construction Right-of-Entry to the City and County of Honolulu
Project / Reference No.:	PSF 18OD-066
Project Location:	Honolulu, Oahu, Tax Map Key: (1) 3-9-003: seaward of 028.
Project Description:	Issuance of construction right-of-entry to the City and County of Honolulu for drainage improvement purposes.
Chap. 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. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Item No. 17 that states "repair and maintenance of existing utilities and drainage systems."
Cumulative Impact of Planned Successive Actions in Same Place Significant:	No. The request pertains to replacement of an existing drainage improvement. Staff believes that the request would involve negligible expansion or change in use of the subject area.
Action May Have Significant Impact on Particularly Sensitive Environment:	Staff is not aware of any particularly sensitive environmental issues and use of the area would negligible change from what is existing.
Consulted Parties	Office of Conservation and Coastal Lands concur to proposed exemption declaration.
Analysis:	Based on the above mentioned, staff believes there would be no significant impact to sensitive environmental or ecological receptors.

EXHIBIT B

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.