

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii 96813

September 28, 2018

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

O'AHU

Issuance of a Right-of Entry to RMY Construction, Inc., for Roadway Access and for Staging Construction Materials and Equipment Area Purposes at O'ahu State Park Base Yard, Diamond Head Reservation, Kapahulu, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 3-1-042:20 (Portion).

APPLICANT:

RMY Construction, Inc., a domestic profit corporation, whose mailing address is 815 Waimanu Street, Honolulu, HI 96813.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at O'ahu State Park Base Yard, Diamond Head Reservation, Kapahulu, Honolulu, O'ahu, Hawai'i, Tax Map Key: (1) 3-1-042:20 (Portion) as shown on the attached map and aerial photo labeled Exhibit A.

AREA:

Approximately 10,000 square feet or less of improved and unpaved land

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: P-2

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:

Currently encumbered under Executive Order 1997, to Department of Land and Natural Resources, Division of State Parks and identified as O’ahu State Park Base Yard.

CHARACTER OF USE:

Roadway access and for staging construction materials and equipment purposes.

COMMENCEMENT DATE:

Upon the Chairperson’s approval for Right-of-Entry (ROE)

MONTHLY RENTAL:

Two thousand five hundred and No/100 dollars (\$2,500.00) per month.

COLLATERAL SECURITY DEPOSIT:

Five thousand dollars and No/100 dollars (\$5,000.00), twice the monthly rental fee.

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 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.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO
Registered business name confirmed:	YES	<u>X</u>	NO
Applicant in good standing confirmed:	YES	<u>X</u>	NO

REMARKS:

On July 3, 2018, RMY Construction, Inc. (RMY) requested an area of approximately 10,000 square feet to use for staging construction materials and equipment purposes. RMY will be entering through the makai side entrance into and through the O’ahu State Park Base Yard, as noted on Exhibit A. RMY is currently working with Board of Water Supply for Diamond Head Water System Improvements, which includes the installation of approximately 7,000 linear feet of 12”, 8”, 6” and 4” water mains along Diamond Head Road, 22<sup>nd</sup> Avenue between Diamond Head Road and Kilauea Avenue and parts of Kahala Avenue.

This project services the entire community. RMY will be replacing aging water mains, fire hydrants and water service laterals to residence. The community will have a new water system which will prevent water main breaks. The estimated projected time is twelve months.

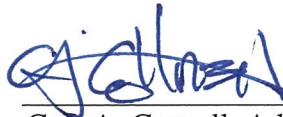
Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

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

RECOMMENDATION: That the Board:

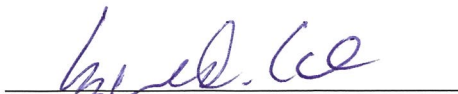
1. Declare that, after considering the potential effects of the propose disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this activity will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a Right-of-Entry to RMY Construction, Inc., for access from the makai entrance, entering the Oahu State Park Base Yard, covering the subject area for staging construction materials and equipment purposes under the terms and conditions cited above, which are incorporated and further subject to the following:
  - a. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time; and
  - 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,



Curt A. Cottrell, Administrator  
Division of State Parks

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson  
Board of Land & Natural Resources

Attachments: Exhibit A, Exhibit B





# RMY Construction, Inc.

red - approximate 10,000 sqft.

yellow - ROE entering from Makai side into the base yard.

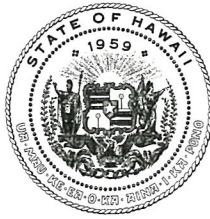


EXHIBIT A





DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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

ROBERT K. MASUDA  
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

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**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**Division of State Parks**  
1151 Punchbowl Street, Room 310  
HONOLULU, HAWAII 96813

**EXEMPTION NOTIFICATION**

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

Project Title: Issuance of Right-of-Entry and Revocable Permit for roadway access and for staging construction equipment purposes.

Project/Reference No.: TBD

Project Location: Diamond Head Reservation, Kapahulu, Honolulu, Oahu, Hawaii, TMK (1) 3-1-042:20.

Project Description: Roadway access and for staging construction equipment.

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 concurred with 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, which states the "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing". Consulted with Board of Water Supply who has no objections to the subject request and concurs with the exemption for an environmental assessment.

Consulted Parties: Board of Water Supply has no objections.

Recommendation: That the Board find this project to have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

**EXHIBIT B**

