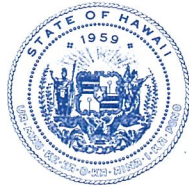


DAVID Y. IGE
GOVERNOR



JADE T. BUTAY
DIRECTOR

Deputy Directors
ROY CATALANI
ROSS M. HIGASHI
EDWIN H. SNIFFEN
DARRELL T. YOUNG

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:
HAR-PM
6590.19

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

HAWAII

ISSUANCE OF GRATIS CONSTRUCTION RIGHT-OF-ENTRY AND GRATIS REVOCABLE PERMIT TO DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF BOATING AND OCEAN RECREATION, FOR EASEMENTS FOR ACCESS, UTILITY, AND WATERLINE PURPOSES, KAWAIHAE HARBOR, ISLAND OF HAWAII, TAX MAP KEY NO. (3) 6-1-03: 26 (PORTION)

LEGAL REFERENCE:

Sections 171- 11 and 55, Hawaii Revised Statutes.

APPLICANT:

Department of Land and Natural Resources
Division of Boating and Ocean Recreation
4 Sand Island Access Road
Honolulu, Hawaii 96819

CHARACTER OF USE:

Construction Right-of-Entry (CROE) and Revocable Permit (RP) to **Department of Land and Natural Resources, Division of Boating and Ocean Recreation**, for connection/installation and for easements for access, utility, and waterline services, for existing DOBOR facility at Kawaihae Harbor.

LOCATION:

Portion of government lands, situated at Kawaihae Harbor, TMK: 3rd/6-1-03: 26 (Portion), as shown on the attached Exhibit "A."

CURRENT USE STATUS:

Governor's Executive Order No. 1988

ITEM M-10

AREA: 0.495 acre (easement for access and utility purposes) and 602 square feet and 267 square feet (easements for waterline purposes), as shown on the attached Exhibit "A."

RENTAL: Gratis.

SECURITY DEPOSIT: N/A

INSURANCE: Bodily injury and property damage \$1 million per occurrence, \$2 million aggregate, plus automobile coverage of \$1 million.

ZONING: State Land Use Commission: Urban
County of Hawaii: General Industrial

LAND TITLE STATUS:

Subsection 5(a) of the Hawaii Admission Act.

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

In accordance with HAR subsection 11-200, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3 as listed on the Comprehensive Exemption List for the State of Hawaii Department of Transportation amended November 15, 2000, that states, "Construction and location of single, new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including, but not limited to: (d) Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such structures or facilities; and (7.) Utility service connection and installation along and across State highway or roads, and in airports and harbors."

REMARKS:

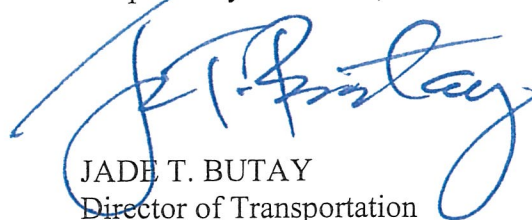
The Division of Boating and Ocean Recreation requested to install said waterline for its existing facility at Kawaihae Harbor. There will be minimum traffic impact to the area. The proposed use will have no significant impacts, whether primary, secondary or cumulative, to the natural, environmental and/or cultural resources in the area. The proposed

use would involve negligible or no expansion or change in use of the subject area beyond that previously existing. The Harbors Division has no objections to the subject request.

RECOMMENDATION:

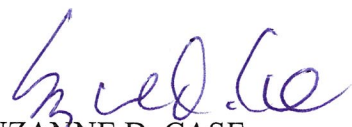
That the Board authorizes the issuance of a Construction Right-of-Entry and Revocable Permit to the applicant, subject to the terms and conditions outlined above and incorporated herein by reference and such terms and conditions as may be prescribed by the Director of Transportation.

Respectfully submitted,

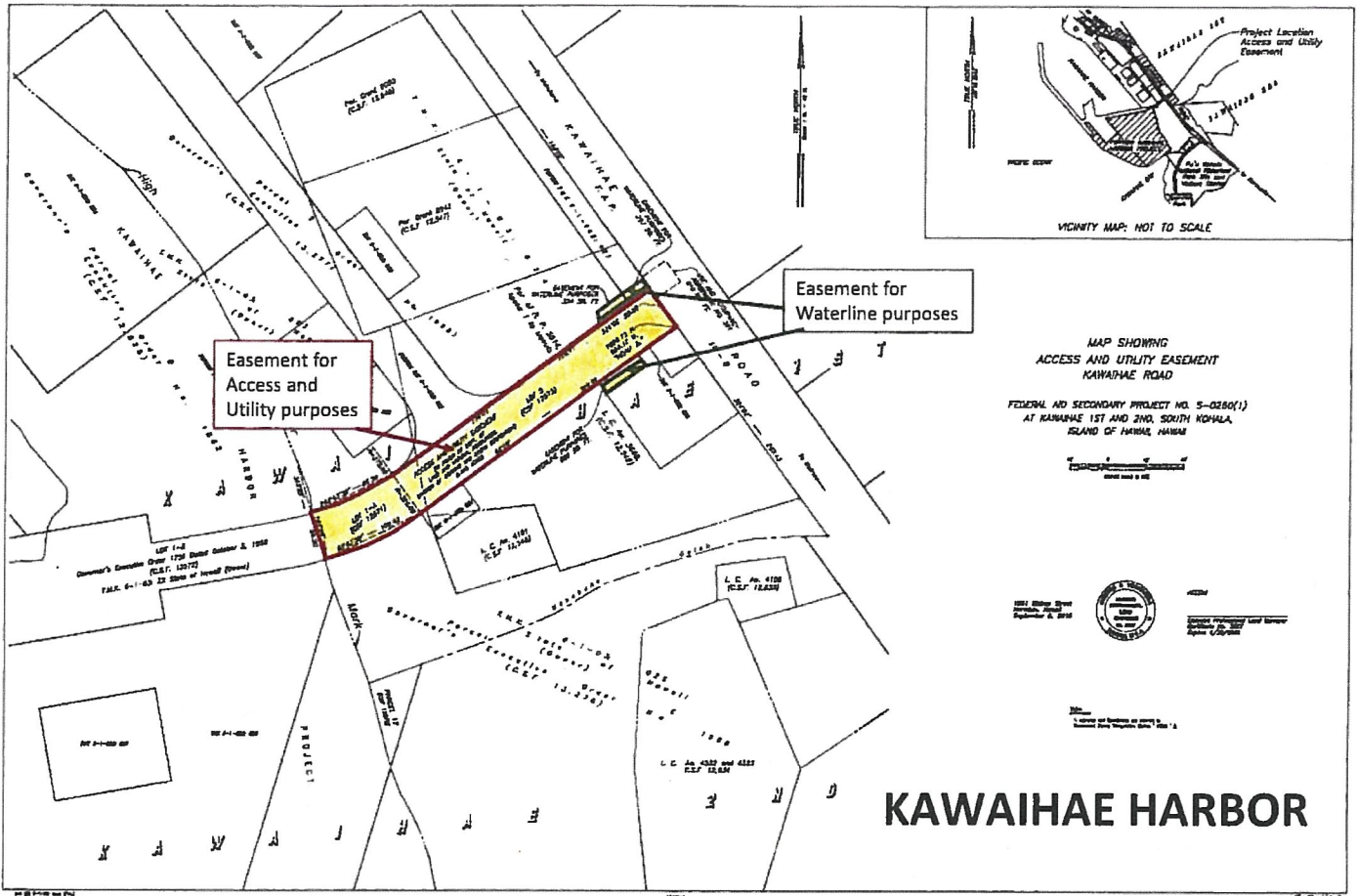


JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member
Board of Land and Natural Resources



KAWAIHAE HARBOR

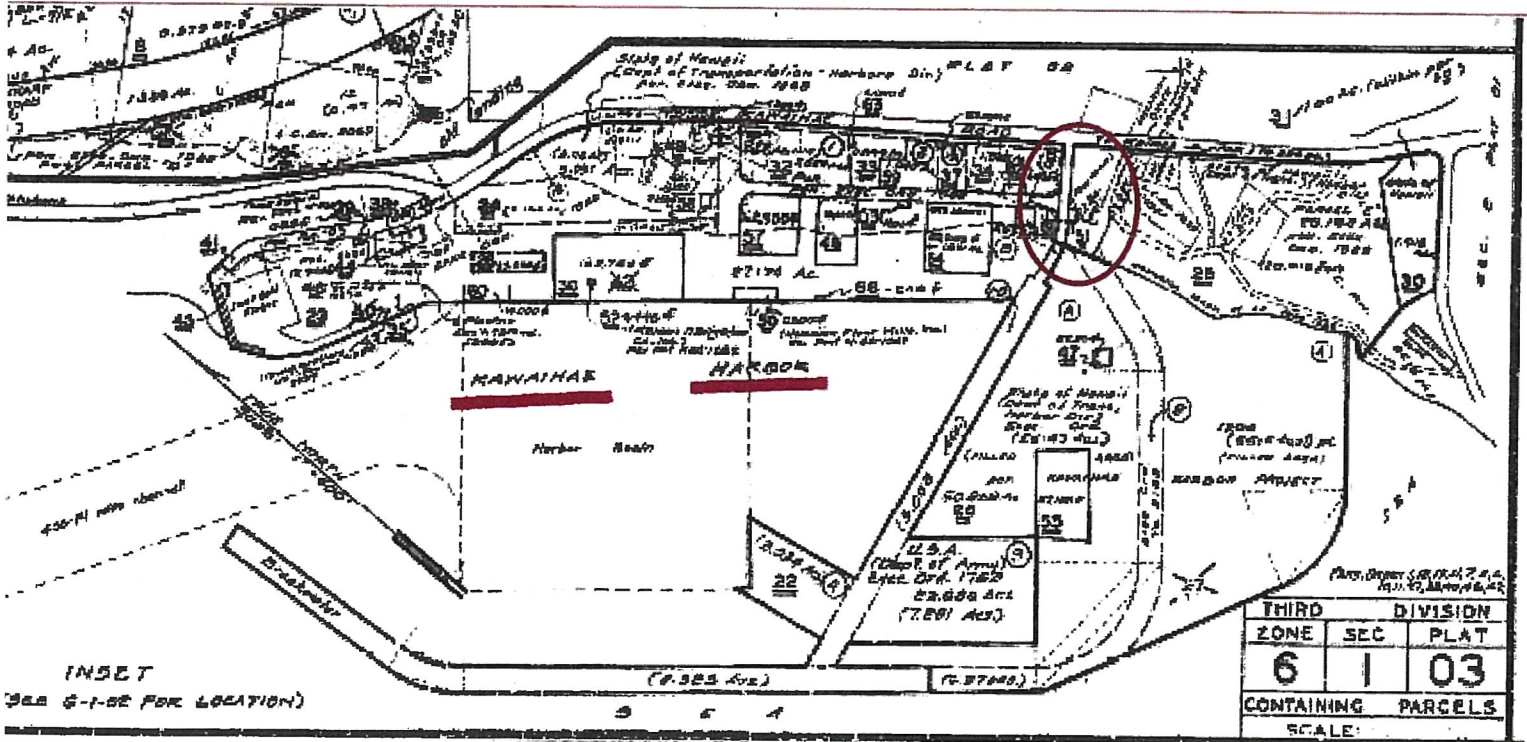


EXHIBIT "A"