

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

November 9, 2018

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

PSF No.: 18OD-109

Oahu

Set Aside to Department of Land and Natural Resources, Division of State Parks,
for Addition to Diamond Head State Monument, Kapahulu, Honolulu, Oahu, Tax
Map Key: (1) 3-1-048:064.

APPLICANT:

Department of Land and Natural Resources, Division of State Parks

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (“HRS”), as amended.

LOCATION:

Portion of Government lands situated at Diamond Head, Kapahulu, Honolulu, Oahu,
identified by Tax Map Key: (1) 3-1-048:064, as shown on the attached map labeled **Exhibit
A**.

AREA:

37,084 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: R-5

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:

Vacant and Unencumbered

PURPOSE:

Addition to the Diamond Head State Monument purposes.

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 reviewed and concurred on by the Environmental Council dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to, Exemption Class 1, "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 43 “Transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor’s executive order.” (**Exhibit B**)

REMARKS:

In the 1960s, the State of Hawaii developed the slopes of Diamond Head into residential lots identified as the Diamond Head View Lots Subdivision, Unit Two, Increment One. As part of the planned development, the subject parcel was set aside for a water tank site. However, no water tank was installed on the property nor any record of a disposition to the Board of Water Supply for the water tank was issued and has remained vacant and unencumbered.

Staff is recommending the setting aside of the subject parcel adjacent to the Diamond Head State Monument to provide additional land for the preservation of the visual and historic aspects of Diamond Head.

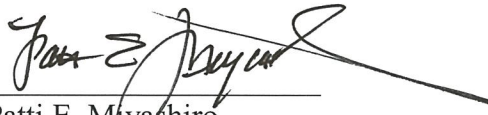
State Parks, Department of Defense, City and County of Honolulu Parks and Recreation and Board of Water Supply have indicated that they have no comments/no objections to this request and concur with the proposed exemption for an environmental assessment.

At the time of finalization of this submittal, the Office of Hawaiian Affairs had not responded to our request for review and comments.

RECOMMENDATION: That the Board:

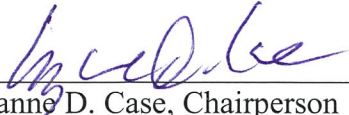
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Department of Land and Natural, Division of State Parks under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

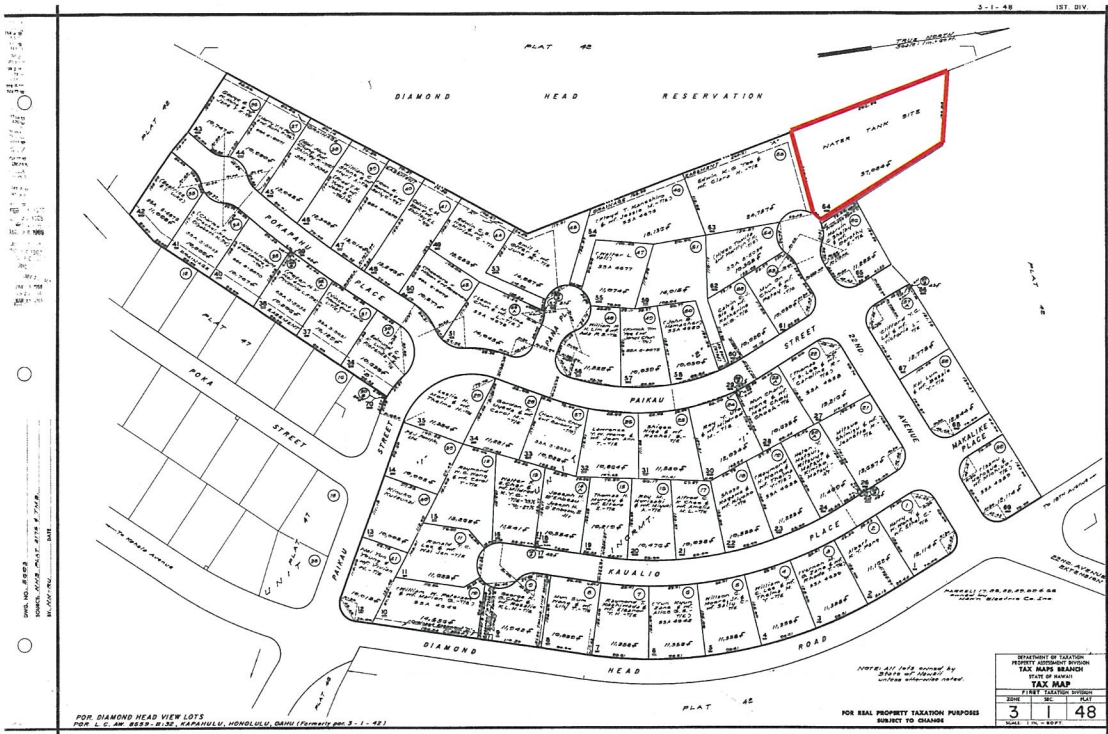


Patti E. Miyashiro
Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



TAX MAP KEY: (1) 3-1-048:064

EXHIBIT A

EXEMPTION NOTIFICATION

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

Project Title: Set Aside to Department of Land and Natural Resources, Division of State Parks, for Addition to Diamond Head State Monument.

Reference No.: PSF 18OD-109

Project Location: Diamond Head, Kapahulu, Honolulu, Oahu, Tax Map Key: (1) 3-1-048:064

Project Description: Setting Aside of State Land to the Department of Land and Resources, Division of State Parks for Addition to Diamond Head State Monument Purposes

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, "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 43, that states "Transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order."

Cumulative Impact of Planned Successive Actions in Same Place Significant? No. Staff anticipate there are no planned successive actions in the same place.

Action May Have Significant Impact on Particularly Sensitive Environment? No. Staff anticipate there are no planned activities at the subject location.

- Consulted Parties: Agencies noted in the submittal who have no comments and/or objections to subject request and concur with the proposed exemption for an environmental assessment.
- Analysis: The request is for housekeeping purposes since no water tank was constructed on the property as designated during the planning of the Diamond View Lots. Staff believes that the Division of State Parks is the appropriate agency since the adjacent property on the slopes of Diamond Head is currently set aside for Diamond Head State Monument purposes.
- Recommendation: It is recommended that the Board find that 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.