

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

July 26, 2019

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

PSF No.: 02OD-213

OAHU

Amend Prior Board Action of June 28, 2002, (Item D-10), *Grant of Perpetual, Non-Exclusive Easement to Board of Water Supply for Waterline Purposes, Aiea, Ewa. Oahu, Tax Map Key: 9-9-05:01.*

An amendment is required to (1) Include Water Meter in the purposes of the easement and (2) Issue a Management Right-of-Entry to the City and County of Honolulu.

REMARKS:

At its meeting on June 28, 2002, Item D-10, the Board approved the issuance of an easement for waterline purpose at the subject location. A copy of the 2002 approved submittal is attached as **Exhibit 1**. However, maps and legal description of the requested easement were not forthcoming. Recently, staff inquired with the City and County of Honolulu, Department of Planning and Permitting ("DPP") for any information on the waterline metes and bounds. The DPP referred us to the survey company in charge of the contract who informed staff there are two (2) easement areas associated with the Board of Water Supply ("BWS") requested subject area. Easement 1 for waterline purposes and Easement 2 for water meter purposes.

The water meter easement (Easement 2), of approximately 323 square feet, has been installed and is being used. However, the water meter was inadvertently omitted from the 2002 Board action.<sup>1</sup> This amendment is for adding water meter in the requested easement which was relocated onto school grounds encumbered by Executive Order No. 2121 to the Department of Education ("DOE"), for Halawa Heights Elementary School and Aiea Intermediate School.

The original water meter for the school campus was found to be located on private property. Both improvements, the waterline and the water meter, have been built and are in use. Staff believes it is prudent for BWS to have a management right-of-entry permit onto school grounds for operating and maintenance purposes.

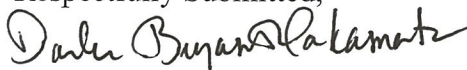
Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions. DOE has indicated its concurrence to the requested easement by its memorandum dated May 21, 2002.

<sup>1</sup> Notwithstanding the Remarks Section of the June 28, 2002 submittal described the water meter, the Character of Use Section did not include such water meter use.

RECOMMENDATION: That the Board amend its prior Board action of June 28, 2002, Item D-10 by:

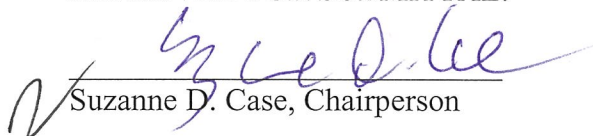
1. Adding water meter to the purposes of the requested easement.
2. Adding Section 171-55, Hawaii Revised Statutes, as amended to the legal authority section of the 2002 Board approval.
3. Issuing a right-of-entry permit to the City and County of Honolulu, Board of Water Supply covering the subject area for water meter and waterline 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 management right-of-entry permit document 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.

Respectfully Submitted,



Darlene J. Bryant-Takamatsu  
Land Agent

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson

D-10

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

June 28, 2002

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

PSF No.: 020d-213

Oahu

Grant of Perpetual, Non-Exclusive Easement to Board of Water  
Supply for Waterline Purposes, Aiea, Ewa, Oahu, Tax Map Key:  
9-9-05:01.

APPLICANT:

Board of Water Supply, City and County of Honolulu, whose  
principal place of business and post office address is 630 South  
Beretania Street, Honolulu, Hawaii 96843.

LEGAL REFERENCE:

Section 171-95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Aiea situated at Aiea, Ewa, Oahu,  
identified by Tax Map Key: 9-9-05:01, as shown on the attached  
map labeled Exhibit A.

AREA:

7,053 square feet.

ZONING:

State Land Use District: Urban  
City & County of Hono. CZO:R-6 Residential

TRUST LAND STATUS:

Section 5(e) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State  
Constitution: YES \_\_\_\_\_ NO X

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 2121, Dept. of

APPROVED BY THE BOARD OF  
LAND AND NATURAL RESOURCES  
AT ITS MEETING HELD ON  
June 28, 2002 *kkk*

ITEM D-10

**EXHIBIT 1**

BLNR - Issuance of Easement  
to BWS

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June 28, 2002

Education, for educational purposes (Halawa Heights Elementary School and Aiea Intermediate School).

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove water transmission pipeline over, under and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 3, d. that states "Water, sewage, electrical, gas, telephone and other essential public utility services extensions to serve such structures or facilities."

DCCA VERIFICATION: Not applicable

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;

REMARKS:

The purpose of the easement, as requested by memos dated May 3, 2002 and June 6, 2002 by the Department of Accounting and General Services (DAGS), Public Works Division, is to install a new water meter under DAGS supervision and to provide the BWS access for maintenance or repair purposes for the Aiea Intermediate School. The school's original water meter required relocation because it is on private property off-site of the school grounds. The Department of Education informed us by letter, dated May 21, 2002, that they support the easement request. After reviewing the pipeline survey map, the BWS indicated by memo to DAGS dated March 19, 2002 that they would accept the easement.



BLNR - Issuance of Easement  
to BWS

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June 28, 2002

The BWS 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.

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. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Board of Water Supply covering the subject area for waterline 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 perpetual easement document form, as may be amended from time to time;
  - B. Governor's concurrence for easement affecting Governor's Executive Order No. 2121.
  - 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,



Al Jodar  
Land Agent

APPROVED FOR SUBMITTAL:

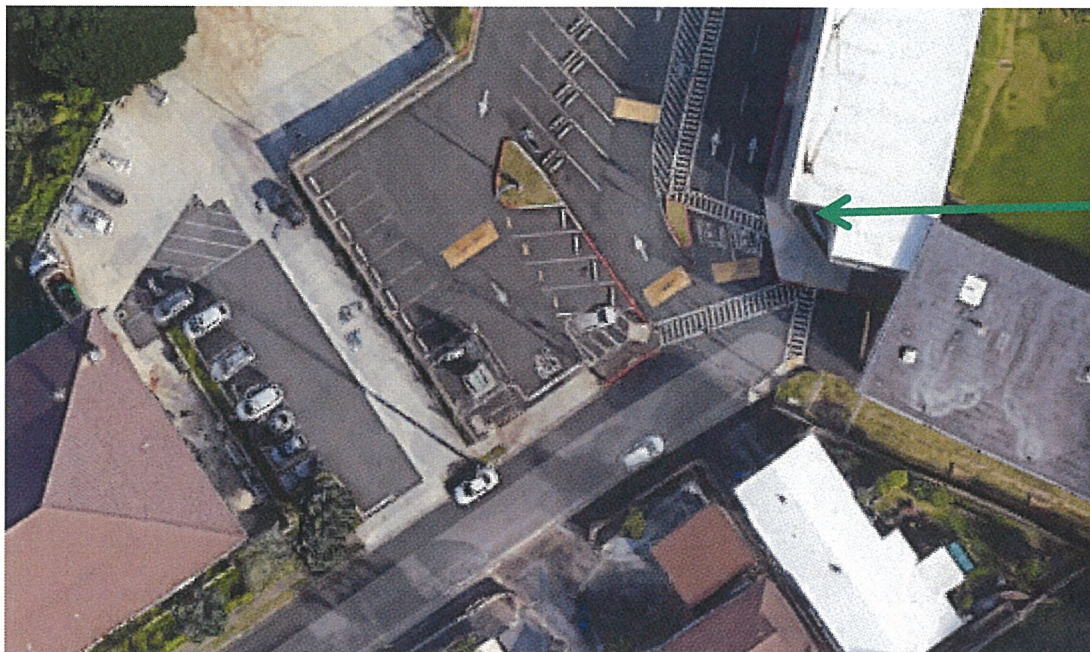
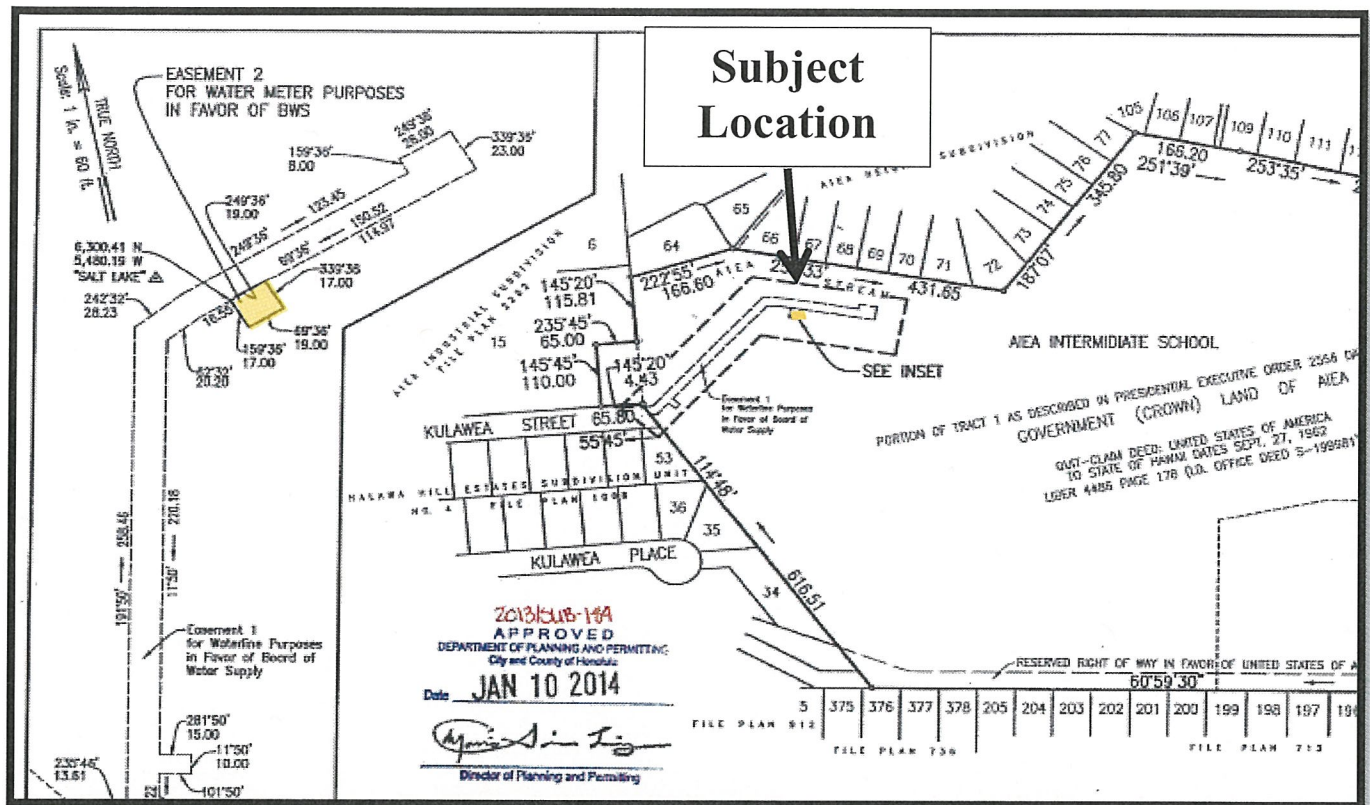


GILBERT S. COLOMA-AGARAN, Chairperson









Water Meter



TMK (1) 9-9-005:001portion

**EXHIBIT 2**