

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

September 27, 2019

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

PSF No.: 19OD-082

Oahu

Grant of Perpetual, Non-Exclusive Easement for Waterline Purposes to the City and County of Honolulu, Board of Water Supply and Issuance of Construction Right-of-Entry; Kalawahine, Makiki, Honolulu, Oahu, Tax Map Key: (1) 2-4-032: portions of 001.

APPLICANT:

City and County of Honolulu, Board of Water Supply

LEGAL REFERENCE:

Sections 171-55 and 95, Hawaii Revised Statutes, as amended.

LOCATION:

Government lands situated at Kalawahine, Makiki, Honolulu, Oahu, identified by Tax Map Key: (1) 2-4-032: portions of 001, as shown on the attached map labeled **Exhibit 1**.

AREA:

4,970 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu CZO: R-5 (Residential)

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Governor's Executive Order No. 805 setting aside to the Department of Education for

Addition to Roosevelt High School purposes

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.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the Kalawahine Reservoir project, including the water transmission line was published in the OEQC's Environmental Notice on October 8, 2002 with a finding of no significant impact (FONSI).

APPLICANT REQUIREMENTS: Applicant shall be required to:

- 1) Process and obtain designation of easement from the Department of Planning and Permitting at Applicant's own cost; and
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost

REMARKS:

In their request dated June 6, 2019, the Board of Water Supply ("BWS") is proposing the installation of over 4,700 lineal feet of 24-inch diameter water distribution line within the right-of-way of several streets. The distribution line will be in support of a new 2.0 MG reservoir (Kalawahine Reservoir) to be constructed on the BWS lot (Governor's Executive Order No. 1529) to alleviate the existing potable water storage deficit in the Metro Low West potable water system service area. A portion of the water transmission line (about 4,970 square feet) will travel across the north corner of the Roosevelt High School. Consultation with DOE, Facilities Development Branch and Roosevelt High School Principal resulted in gaining their support for proposed water transmission line construction activities. Access to the area will be through the BWS lot and the construction area (about 28,700 square feet) will be secured from unauthorized access. Upon completion of the installation of the water transmission line, the excavated and graded areas will be grassed to provide permanent erosion control. The portion of the proposed 24-inch water transmission line traversing over the Roosevelt High School grounds and right-of-entry areas are shown on the attached drawing labeled **EXHIBIT 2**.

In addition to the subject easement, BWS is requesting for a construction right-of-entry over the 28,870 square feet for staging and construction of the proposed waterline. The construction right-of-entry shall expire upon completion of the installation of the water


transmission line and the land returned to a condition as agreed with DOE and noted above.

Office of Conservation and Coastal Lands and Department of Hawaiian Homes Lands have not responded to the solicitation for comments. Division of Forestry and Wildlife provides comments at **Exhibit 3**. Staff recommends inserting a condition requiring the supervision of a certified arborist during any tree removal in the construction right-of-entry. There are no other pertinent issues or concerns.

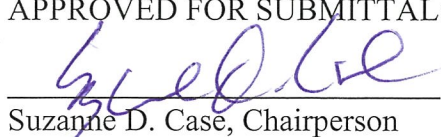
RECOMMENDATION: That the Board:

1. Authorize the issuance of a perpetual, non-exclusive easement to the City and County of Honolulu, Board of Water Supply covering the subject area for water transmission pipeline purposes under the terms and condition 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. 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.
2. Authorize the issuance of a construction right-of-entry to the City and County of Honolulu, Board of Water Supply covering the subject area 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 form, as may be amended from time to time;
 - B. If project requires the removal of trees or at least disturbance of an area with trees, Scope of Work should include a tree protection plan and be supervised by a certified arborist; and
 - C. 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

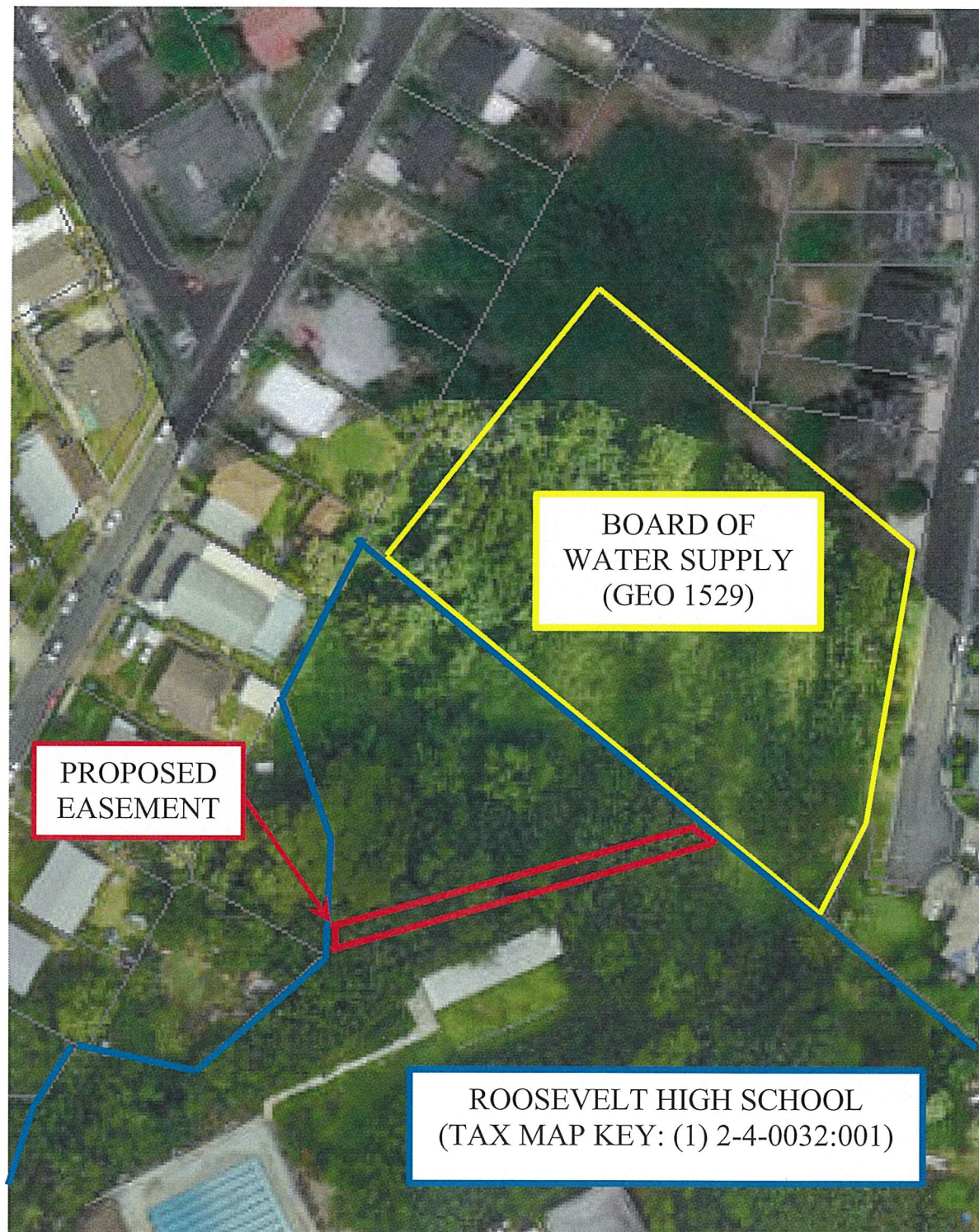
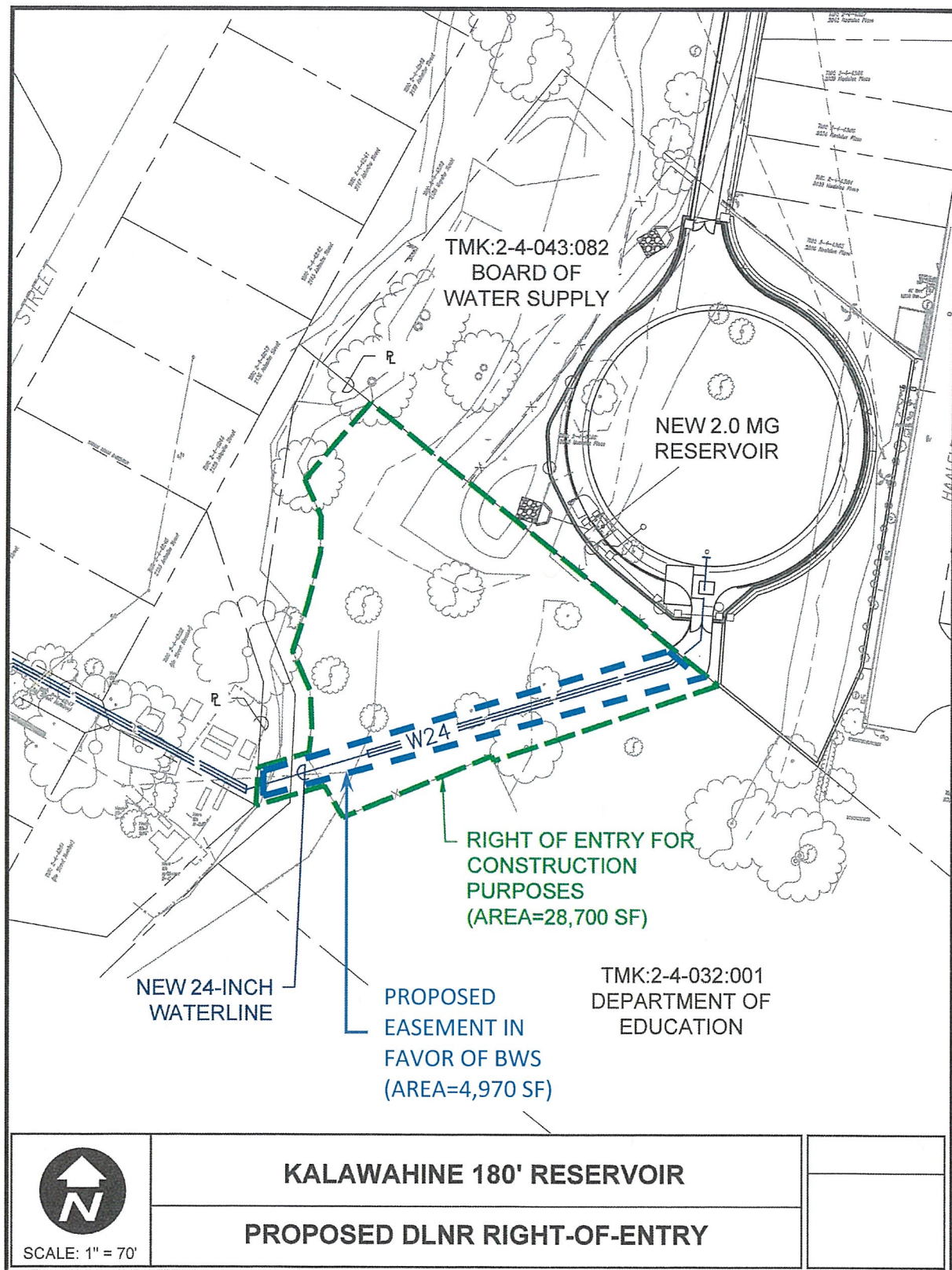


EXHIBIT 1



DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF FORESTRY AND WILDLIFE
1151 PUNCHBOWL STREET, ROOM 325
HONOLULU, HAWAII 96813

JUL 29 2019

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
MARINE AND OCEAN RESEARCH
BUREAU OF CONSERVATION
CONSERVATION WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
(ENFORCEMENT)
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

MEMORANDUM

Log no. 2002

TO: Patti Miyashiro, Land Agent
Land Division

FROM: David G. Smith, Administrator *DAS*

SUBJECT: Division of Forestry and Wildlife Comments on Cancellation of Governor's Executive Order No. 1529, Rest Aside for Kalawahine Reservoir Purposes, and Grant of Perpetual, Non-Exclusive Easement for Waterline Purposes to the City and County of Honolulu, Board of Water Supply; Issuance of Construction Right-of-Entry, TMK No.: (1) 2-4-032: Portion of 001 and 2-4-043:082.

The Department of Land and Natural Resources (DLNR) Division of Forestry and Wildlife (DOFAW) has received your inquiry regarding the above subject. We appreciate the opportunity to provide consultation. It appears as though the scope of work (SOW) will include the removal of trees or at least disturbance of an area with trees and so we recommend that the SOW should include a tree protection plan and be supervised by a certified arborist. In addition, we underscore but a few of the multiple benefits of trees and green infrastructure:

Clean Air: In addition to creating oxygen, essential for all life on Earth, trees clean the air by removing carbon dioxide and other air pollutants. One hundred large street trees can remove 19 tons of carbon dioxide and 372 pounds of other air pollutants annually.

Health & Well-being: Tree-filled neighborhoods are safer, reduce mental and physical stress, and encourage people to spend more time outdoors, including transportation (i.e., walking and biking vs. driving). Tree-lined streets encourage slower driving and promote pedestrian safety.

Energy Cost Savings: Trees provide shade and cooling, greatly reducing energy costs. Trees save more than \$622,000 per year (based on 2013 rates of \$.32/kwh for 43,000 inventoried street trees in Honolulu.)

Watershed Protection: Trees cost-effectively filter and improve water quality by reducing stormwater runoff and flooding. Trees in Honolulu intercept more than 35 mil. gallons of stormwater per year. This contribution is valued at more than \$350,000 annually.

Reef Protection: A healthy urban forest reduces erosion and filters pollutants significantly reducing runoff and the destruction of our valuable reefs.

EXHIBIT 3