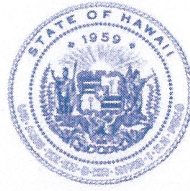


DAVID Y. IGE
GOVERNOR



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:

Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i

GRANT OF NON-EXCLUSIVE EASEMENT
FOR UNDERGROUND POWER LINE EASEMENTS FOR
HAWAIIAN ELECTRIC COMPANY, INC.; ISSUANCE OF
IMMEDIATE CONSTRUCTION RIGHT-OF-ENTRY PERMIT
DANIEL K. INOUE INTERNATIONAL AIRPORT
TAX MAP KEY NO: (1) 1-1-003:001 (PORTIONS)

O'AHU

APPLICANT:

Hawaiian Electric Company, Inc., a Hawai'i corporation (HECO), whose post office address is P.O. Box 2750, Honolulu, Hawai'i 96840.

LEGAL REFERENCE:

Sections 171-13, 55 and 95, Hawai'i Revised Statutes ("HRS"), as amended.

LOCATION AND TAX MAP KEY:

Electrical power line easement affecting portion of Lot 3774, Map 629, Land Court Application No. 1074, situate at Moanalua, Honolulu, Island of O'ahu, State of Hawai'i, identified by Tax Map Key: 1st Division, 1-1-003:001 (Portions), as shown on the attached map labeled Exhibit A.

AREA:

Traction Power Substation (TPSS) consisting of approximately 4,253 square feet, more or less, and underground electrical power line facilities consisting of approximately 38,268 square feet, more or less, with areas as shown and delineated on the attached Exhibit B.

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ZONING:

State Land Use: Urban
County: I-2 (Industrial)

LAND TITLE STATUS:

Section 5(a), Hawai'i Admissions Act: Non-Ceded
DHHL, 30% entitlement lands Yes _____ No X

CURRENT USE STATUS:

Land encumbered under Governor's Executive Order No. 3201, dated June 8, 1983, setting aside 2,704.167 acres designated as Daniel K. Inouye International Airport under the control and management of the Department of Transportation, Airports Division, State of Hawai'i, for airport purposes.

CHARACTER OF USE:

Right, privilege and authority to access, construct, use, maintain, repair, replace, remove and operate underground and/or overhead wire lines, transformer, switching vault and such other appliances and equipment as may be necessary for the transmission and distribution of electricity and/or communication and control circuits, including the right to trim and keep trimmed any trees in the way of its appliances and equipment.

COMMENCEMENT DATE:

To be determined by the Director of Transportation at a later date.

CONSIDERATION:

Gratis.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

The Final Environmental Impact Statement acceptance notice for the Honolulu High Capacity Transit Corridor project was published in OEQC's The Environmental Notice on January 8, 2011.

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APPLICANT REQUIREMENTS:

1. Applicant shall be required to provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
2. Applicant shall be required to process and obtain designation of easement approval from the Department of Planning and Permitting, City and County of Honolulu, at Applicant's own cost.

DCCA VERIFICATION:

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

REMARKS:

The City and County of Honolulu (City), through the Honolulu Authority for Rapid Transportation, a semi-autonomous agency of the City, is constructing the Honolulu Rail Transit Project's Airport Guideway and Stations (HRTP-Airport) section through Daniel K. Inouye International Airport. As a result of the HRTP-Airport project and in accordance with Section 171-95, HRS, relating to Disposition to governments, governmental agencies, public utilities, and renewable energy producers, the Department of Transportation proposes to issue a non-exclusive easement to HECO for the construction, use, maintenance, and repair of a TPSS and underground power lines.

HECO is also requesting issuance of a construction and management right-of-entry, which shall expire upon the issuance of the requested easement.

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.

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Authorize the issuance of a non-exclusive easement to HECO covering the subject area for utility purposes, under the terms and conditions cited above,

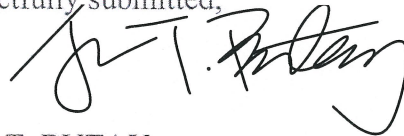
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which are by this reference incorporated herein and further subject to the following:

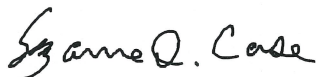
- A. The standard terms and conditions of the most current easement document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and
 - C. Such other terms and conditions as may be prescribed by the Chairperson or the Director of Transportation to best serve the interests of the State.
2. Authorize the issuance of a right-of-entry permit to HECO 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 permit form, as may be amended from time to time;
 - B. The right-of-entry permit shall remain in force until the grant of easement has been issued.
 - 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 or the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member

Exhibit B

