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

GRANT OF NON-EXCLUSIVE EASEMENTS TO HAWAIIAN ELECTRIC COMPANY, INC. FOR UNDERGROUND POWER LINES AND ISSUANCE OF IMMEDIATE CONSTRUCTION RIGHT-OF-ENTRY PERMIT  
DANIEL K. INOUYE INTERNATIONAL AIRPORT  
TAX MAP KEY NOS: (1) 1-1-003:009 (PORTION), (1) 1-1-003:010 (PORTION) AND (1) 1-1-003:035 (PORTION)  
O‘AHU

APPLICANT:

Hawaiian Electric Company, Inc., a Hawai‘i corporation, 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:

Underground power line easements affecting portions 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, 1-1-003:009 (Portion), 1st Division, 1-1-003:010 (Portion) and 1st Division, 1-1-003:035 (Portion), as shown on the attached map labeled Exhibit A.

AREA:

Easement 601 – approximately 2,800 square feet, TMK: (1) 1-1-003:009 (Portion); and Easement 603 – approximately 200 square feet, TMK: (1) 1-1-003:010 (Portion); and Easement 604 – approximately 320 square feet, TMK: (1) 1-1-003:035 (Portion), as shown and delineated on the attached Exhibits B and B-1.

ITEM M-1
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 X No 

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. TMK Nos. (1) 1-1-003:009 & 010 are leased to
Hawaii Fueling Facilities Corporation (HFFC), State Lease No. DOT-A-15-0014, for a
Fueling Facility Lease. TMK No. (1) 1-1-003:035 is under the management of Delta Air
Lines, Inc. for cargo facilities.

CHARACTER OF USE:

Right, privilege and authority to access, construct, use, maintain, repair, replace, remove
and operate electric transmission 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.

TERM:

Perpetual.

CONSIDERATION:

Gratis.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

All environmental impacts and mitigation to the subject project were evaluated in the
Honolulu High Capacity Transit Corridor Final Environmental Impact Statement (EIS),
published in the OEQC Environmental Notice on July 8, 2010. The EIS was accepted
and published in The Environmental Notice on January 8, 2011.
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 approvals 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 X NO ____
Registered business name confirmed: YES X NO ____
Good standing confirmed: YES X NO ____

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 Station (HRTP-Airport) section through Daniel K. Inouye International Airport. As a result of the HRTP-Airport guideway alignment, portions of Hawaiian Electric Company, Inc.’s (HECO) existing utility facilities are required to be relocated. The relocated portions are identified as Easement 601, consisting of approximately 2,800 square feet, Easement 603, consisting of approximately 200 square feet and Easement 604, consisting of approximately 320 square feet, see attached Exhibit B and B-1.

Easements 601 and 603 will encumber portions of properties leased to Hawaii Fueling Facilities Corporation (HFFC). Easement 604 will encumber a portion of property under the management of Delta Air Lines, Inc (Delta). HFFC and Delta have been informed of the proposed HECO utility easements.

HECO is also requesting a construction and management right-of-entry which shall expire upon issuance of the requested easements. The right-of-entry agreement may be amended upon mutual agreement of the parties.

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 perpetual non-exclusive easements to HECO covering the subject area for utility 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. 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
Proposed HECO relocated facilities Easements 601 and 603

New fence line relocated by HART

AREA/SPACE SQ. FT.
001 105 65,400
001 106 65,400
001 111 9,150
001 112 44,550
EAS 110 922

DATE: NOVEMBER 2011 EXHIBIT: B

HAVID K. INOUYE INTERNATIONAL AIRPORT