

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

February 26, 2021

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

Ref: 08OD-064
08OD-156

OAHU

Rescind Prior Board Action of August 26, 2011, Item D-8, as amended by Board Action of February 14, 2014, Item D-9, Regarding the Grant of Perpetual, Non-Exclusive Easement to Honolulu Seawater Air Conditioning, LLC for Seawater Air Conditioning Waterlines Purposes on State Submerged Lands off Kakaako, Honolulu, Oahu, Tax Map Key: (1) 2-1-060:Seaward of 008; and

Rescind Prior Board Action of December 9, 2011, Item D-16, Issuance of Revocable Permit to Honolulu Seawater Air Conditioning, LLC, Sand Island, Honolulu, Oahu, Tax Map Key: (1) 1-5-041: Seaward of 006.

BACKGROUND:

At its meeting of August 26, 2011 (Item D-8), the Board authorized the issuance a perpetual easement for the seawater air conditioning pipeline project off Kakaako in Honolulu. At its meeting of February 14, 2014 (Item D-9), the Board amended its prior action by revising the performance bond requirement and approved revised easement document conditions.

At its meeting of December 9, 2011 (Item D-16), the Board approved the issuance of a revocable permit for staging area purposes for the same project in the channel seaward of the Sand Island Recreation Area.

Since the approvals mentioned above, staff worked with the applicant regarding the consummation of the easement and revocable permit document, including appraisal, map, description, etc. To date, neither document has been signed.

By the letter dated January 11, 2021 (**Exhibit A**), the applicant advised the department that it is winding down the company and will not pursue the project anymore. Applicant also confirms that no construction work has been undertaken or improvements made at the subject locations.

Staff recommends the Board rescind both approvals for housekeeping purposes.

RECOMMENDATION:

That the Board rescind the prior Board action of August 26, 2011 (Item D-8) as amended by action of February 14, 2014 (Item D-9), and its prior action of December 9, 2011 (Item D-16).

Respectfully Submitted,

Barry Cheung

Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:

Suzanne D. Case

RT

Suzanne D. Case, Chairperson



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Honolulu

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DEPT. OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

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220 South King Street, Suite 1501
Honolulu, Hawaii 96813

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Fax (808) 531-7923
www.honoluluswac.com

January 11, 2021

Suzanne D. Case
Chairperson of the Board of Land and natural Resources
1151 Punchbowl Street, Room 130
Honolulu Hawaii, 96813

RE: Honolulu Seawater Air Conditioning Perpetual, Non-Exclusive Easement On State Submerged Lands Off Kakaako, Honolulu, Oahu, Tax Map Key: (1) 2-1-060: seaward of 008 and Revocable Permit to Honolulu Seawater Air Conditioning LLC, Sand Island Honolulu, Oahu, Tax map Key: (1) 1-5-041: seaward of 006.

Ms. Case,

This notice is to inform you that Honolulu Seawater Air Conditioning (HSWAC) will not be executing:

- 1) The Perpetual, Non-Exclusive Easement on State Submerged Lands off Kakaako, Honolulu, Oahu, Tax Map Key: (1) 2-1-060: seaward of 008 as granted by Board of Land and Natural Resources on February 14, 2014, under agenda item D-9.
- 2) The Revocable Permit to Honolulu Seawater Air Conditioning, LLC, Sand Island Honolulu, Oahu, Tax Map Key: (1) 1-5-041: seaward of 006 as granted by the board of Land and Natural Resources on December 9, 2011, under agenda item D-16.

HSWAC will be winding down the company and thus will not be pursuing the development of the Seawater Air Conditioning system for downtown Honolulu. As no physical construction work had begun on the project no improvements to the subject areas have been made by HSWAC.

Future notices related to Honolulu Seawater Air Conditioning can be sent to:
Honolulu Seawater Air Conditioning
P.O. Box 2938
Honolulu, HI. 96802

Best regards,

Gregory Wong
Director of Customer Service

CC: Barry Cheung, District Land Agent via e-mail

EXHIBIT "A"