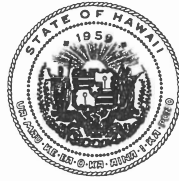


JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

MEOH-LENG SILLIMAN
DEPUTY COMPTROLLER
KA HOPE LUNA HO'OMALU HANA LAULĀ

STATE OF HAWAI'I | KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWE LAULĀ
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

August 9, 2024

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

OAHU

Consent to Issuance of Right-of-Entry Permit of Lands under Governor's Executive Order Nos. 4394, 2343, and 3433 to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transit, Honolulu, Oahu, Tax Map Keys: (1) 2-1-026:001, (1) 2-1-031:010, (1) 2-1-030:003.

CONTROLLING AGENCY (of subject executive order):

Department of Accounting and General Services (DAGS).

APPLICANT (requesting Right-of-Entry):

City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transit (HART).

LEGAL REFERENCE:

Section 171-11 and 55, Hawaii Revised Statutes, (HRS) as amended.

LOCATION AND TAX MAP KEY:

Portions of Addition to Keelikolani Building and Tax Office Annex Site, Island of Oahu, State of Hawaii, identified by Tax Map Key: (1) 2-1-026:001.

Portions of State Office Building Complex Site (DAGS Makai Garage Lot A), Island of Oahu, State of Hawaii, identified by Tax Map Key: (1) 2-1-031:010.

ITEM M-3

Portions of State Judiciary Complex and Parking Facility (Kaahumanu Hale), Island of Oahu, State of Hawaii, identified by Tax Map Key: (1) 2-1-030:003.

ZONING:

Addition to Keelikolani Building and Tax Office Annex Site

State Land Use District: Urban

City and County of Honolulu LUO: B-2 Community Business District

DAGS Makai Garage Lot A

State Land Use District: Urban

City and County of Honolulu LUO: Kakaako Community Development District

Kaahumanu Hale

State Land Use District: Urban

City and County of Honolulu LUO: Kakaako Community Development District

TRUST LAND STATUS:

Addition to Keelikolani Building and Tax Office Annex Site

5(b) - Ceded

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No.

DAGS Makai Garage Lot A

5(a) - Non-Ceded

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No.

Kaahumanu Hale

Acquired after 8/59 – Non-ceded

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No.

CURRENT USE STATUS:

Governor’s Executive Order No. 4394 to DAGS for Addition to Keelikolani Building and Tax Office Annex Site.

Governor’s Executive Order No. 2343 to DAGS for State Office Building Complex Site.

Governor’s Executive Order No. 3433 to DAGS for State Judiciary Complex and Parking Facility.

RIGHT-OF-ENTRY TERMS & CONDITIONS:LOCATION & AREA:

Portion of situated at Honolulu, Oahu, identified by Tax Map Keys: (1) 2-1-026:001, (1) 2-1-031:010, (1) 2-1-030:003 as shown on the attached map labeled Exhibit 1.

CHARACTER OF USE:

Archeological Investigation Survey (AIS) excavations.

TERM:

One year, scheduled to commence by August 2024. Any extension required during the use of the area will be subject to the approval by the Comptroller. See Recommendation section.

RENT AMOUNT:

Gratis. Governmental agency.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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

On August 24, 2012, the Hawaii Supreme Court ruled that the City should have completed archaeological survey work along the entire proposed rail transit route prior to starting construction.

In February 2013 the field work for the Archaeological Inventory Survey (“AIS”) for the entire proposed transit route was completed and the AIS reports were then submitted to DLNR’s State Historic Preservation Division (“SHPD”) for review, which was accepted by SHPD pursuant to its letter dated August 27, 2013.

DCCA VERIFICATION:

Not applicable. Governmental agency.

REMARKS:

HART plans to construct numerous straddle bent columns on portions of State-owned land situated along Halekauwila Street. In preparation for that construction, HART must perform AIS excavations at each of the proposed sites to identify any archaeologically significant findings in accordance with HART's Supplemental AIS Plan. The AIS excavations will involve the removal of at least one monkeypod tree from the Kaahumanu Hale site. The removal of the tree is necessary for the eventual construction of the Honolulu Rail Transit Project (H RTP).


Work will be coordinated with DAGS and the Judiciary. Excavations of sites 5, 6, and 7 noted on Exhibit 1 will be performed outside of court operating hours. The Judiciary will retain ownership of any removed trees for the purposes of donations, artwork, or other uses.

RECOMMENDATION: That the Board

Consent to the issuance of right-of-entry by the Department of Accounting and General Services to the City and County of Honolulu on behalf of the Honolulu Authority for Rapid Transit, subject to any applicable 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 document form, as may be amended from time to time.
- B. Such other terms and conditions as may be prescribed by the Comptroller to best serve the interests of the State.
- C. Delegate the Comptroller authority to issue extension of the subject right-of-entry permit beyond its expiry for good cause shown.

Respectfully Submitted,



Keith Regan
Comptroller

APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson

