

D-9

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

October 26, 2007

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

PSF No.: 070D-159

Oahu

Issuance of Right-of-Entry Permit to City and County of Honolulu, Department of Design and Construction, on Lands Encumbered by General Lease No. S-5261, Sand Island Business Association, Lessee, and Governor's Executive Order No. 2704, Department of Land and Natural Resources for Sand Island State Recreational Area, Situate Sand Island, Honolulu, Oahu, TMK:(1)1-5-041:103 (Portion) and TMK:(1)1-5-041:06 (Portion).

APPLICANT:

City & County of Honolulu, whose business and mailing address is 650 South King Street, 96813.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of government lands of Sand Island Industrial Park situated at Sand Island, Honolulu, Oahu, identified by TMK:(1) 1-5-041:103, as shown on the attached map labeled Exhibit "A", and of government lands of Sand Island State Recreational Area situated at Sand Island, Honolulu, Oahu, identified by TMK:(1) 1-5-041:06, as shown on attached map labeled Exhibit "B".

AREA:

.055 acres, more or less, for pressure manhole (PMH) #3; and
1.983 acres, more or less, for pressure manholes (PMH) #2, #4, #5;
and
.330 acres, more or less, for construction staging area consisting of 120 ft. x 120 ft.

ZONING:

State Land Use District: Urban
County of Honolulu CZO: I-3

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO X

CURRENT USE STATUS:

Encumbered by General Lease No. S-5261, Sand Island Business Association (SIBA), Lessee, for improvement and management of Sand Island Industrial Park. Lease to expire on June 30, 2047; and

Encumbered by Governor's Executive Order No. 2704 to the Department of Land and Natural Resources, Division of State Parks for Sand Island State Recreational Area.

CHARACTER OF USE:

Access purposes and for a staging area to repair four (4) air release valves (ARV) to pressure manholes #2, #3, #4, #5 on the Ala Moana Force Main No. 1.

TERM OF RIGHT-OF-ENTRY:

November 1, 2007 through December 31, 2008.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states:

"Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Not applicable. Applicant is a government agency.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from all users of the subject land (Sand Island Business Association and Division of State Parks).
- 2) Fence off and secure construction staging area (120 ft. by 120 ft.) during construction phase of this project.

REMARKS:

The City and County of Honolulu and its consultants, contractors and/or persons acting for or on its behalf (hereinafter "the City") are planning to repair the six air release valves (ARV) on the Ala Moana Force Main No. 1 pipeline, as shown on attached map labeled Exhibit "C". Four of the air release valves (ARV) are the subject of this submittal, the other two air release valves (ARV) are under the jurisdiction of other government agencies.

This right-of-entry for construction and related activities will begin at the start of the City's bidding period, November 1, 2007, and will continue through December 31, 2008.

Each ARV is associated with a pressure manhole (PMH). Of the six ARVs, three(3) of the six air release valves (ARV) are located in the Sand Island Recreational Area (SIRA), which are encumbered under Governor's Executive Order No. 2704 to the Division of State Parks. These would be PMHs #2, #4, and #5.

PMH #3 is located in the Sand Island Industrial lot area, which is encumbered under General Lease No. S-5261 to Sand Island Business Association (SIBA). PMH #6 is under the jurisdiction of the Department of Transportation, Harbors Division. A right-of-entry for repairs to PMH #6 has been obtained from the Harbors Division by the City.

Accordingly, this right-of-entry to the City would involve the construction of a replacement air relief valve system for PMH's #2, #3, #4 and #5, involving four (4) pressure manholes (PMH) consisting of a 40 ft. x 60 ft. area per PMH adjoining the 25 foot wide pipeline, along with authorization for a construction staging area (120 ft. x 120 ft.) located adjacent to PMH #5.

The City will be responsible for obtaining written concurrence from the users of the subject areas, as stated in the "Applicant Requirements" mentioned above.

Comments were not solicited from governments agencies as this right-of-entry would be for repairs or maintenance of existing structures and equipment. There would be no changes to the existing use.

Staff is recommending that this right-of-entry be gratis as it is to another government agency. There are no other pertinent issues or concerns.

Staff has no objections to this request.

RECOMMENDATION:

That the Board, subject to the Applicant fulfilling the Applicant Requirements above, authorize the issuance of a right-of-entry permit to the City and County of Honolulu covering the subject areas under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
2. The term of this right-of-entry shall commence from November 1, 2007 through December 31, 2008.
3. Authorize the Chairperson to further extend the right-of-entry beyond December 31, 2008 for good cause; and
4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

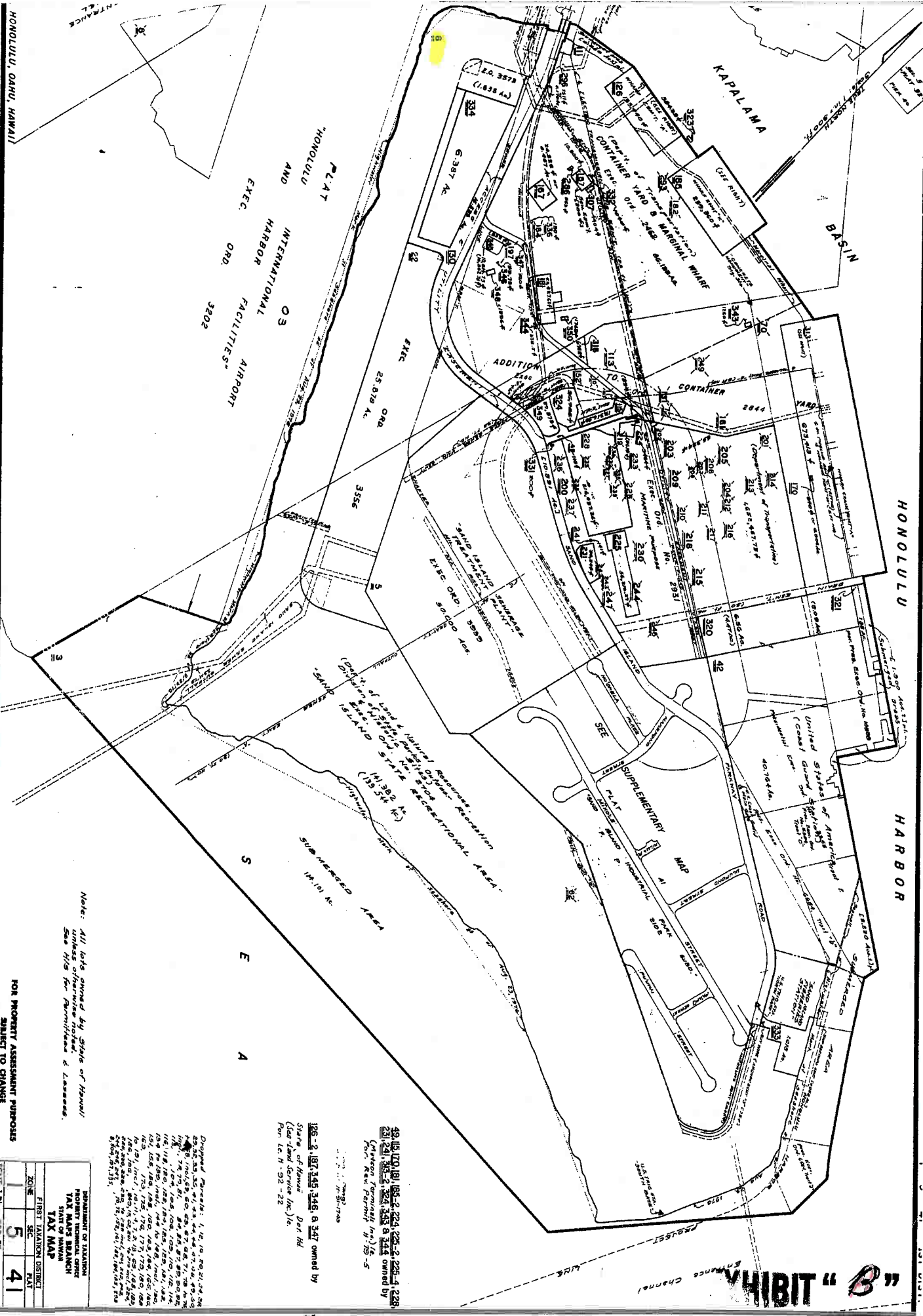
Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:


for Laura H. Thiel, Chairperson



Note: All lots owned by State of Hawaii unless otherwise noted. See H16 for Permitted & Licensed.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

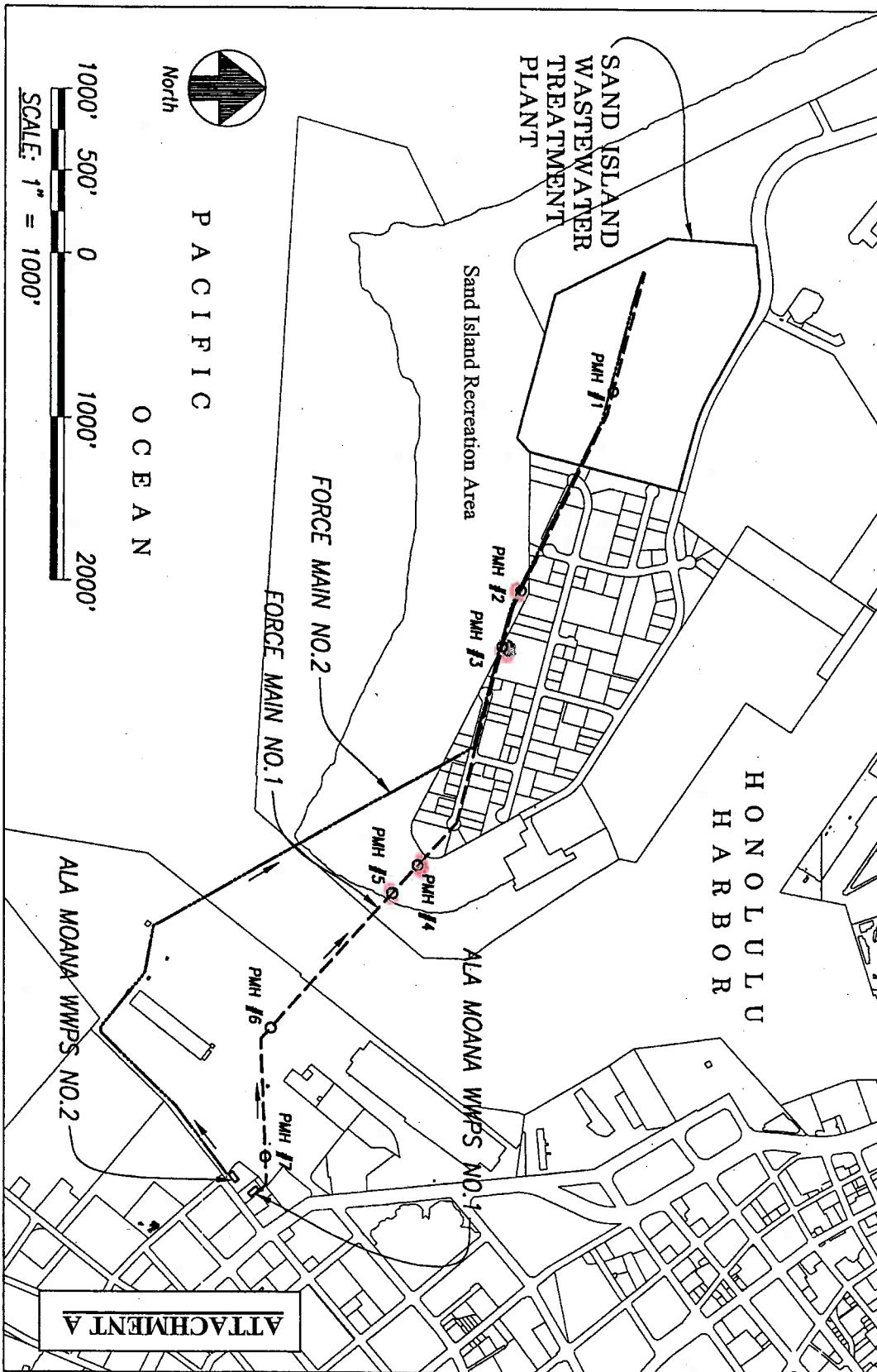
49-115-170, 181, 185, 2, 224, 225, 2, 226, 4, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500.

126-2, 187, 345, 346, 8, 347 owned by State of Hawaii. Det. H1.
(See Land Service Inc. 1/6.
For C-11, 52, 22.

49-115-170, 181, 185, 2, 224, 225, 2, 226, 4, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500.

DEPARTMENT OF TAXATION			
PROPERTY TECHNICAL SERVICE			
TAX MAP			
FIRST TAXATION DISTRICT			
ZONE	SEC.	BLK.	PLAT.
1	5	41	
SCALE 1" = 300' FT.			

WHIBIT "B"



ATTACHMENT A