

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

April 13, 2012

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

PSF No.: 11MD-209

Maui

Set Aside to Department of Land & Natural Resources, Division of Conservation & Resources Enforcement for Employee Housing Purposes, Lanai City, Lanai, Hawaii, Tax Map Key: (2) 4-9-015:005.

APPLICANT:

State of Hawaii, Department of Land & Natural Resources, Division of Conservation & Resources Enforcement.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Lanai City situated on the Island of Lanai, Hawaii, identified by Tax Map Key: (2) 4-9-015:005, as shown on the attached map labeled Exhibit A.

AREA:

6,643 square feet, more or less.

ZONING:

State Land Use District: Urban

TRUST LAND STATUS:

N/A acquired after 1959.

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO x

CURRENT USE STATUS:

The subject property was acquired by the State of Hawaii, Department of Land & Natural Resources.

Division of Fish and Game from the Dole Corporation, Division of Castle and Cooke, Inc. under Land Office Deed No. S-25431b. Since being acquired, the parcel has been utilized by the Division of Conservation & Resources Enforcement, for housing employee(s) working and residing on the island.

PURPOSE:

Employee housing purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

REMARKS:

The subject property was acquired by the State of Hawaii from the Dole Corporation, Division of Castle and Cooke, Inc. for the amount of \$10.00. The property was initially part of an 18 lot residential subdivision, which was named the Lalakoa Akahi subdivision, located at the south edge of Lanai City.

Pursuant to Board action of March 20, 1970, Item # F-27, the Board approved the authorization for the Chairman to acquire the subject property by negotiation or, if necessary, through condemnation proceedings. The Board also authorized the transmittal of a request to the Governor for issuance of an executive order setting aside this property for control and management by the Department of Land and Natural Resources, Division of Fish and Game. Since receiving board approval, The Department of Land and Natural Resources had reorganized and restructured into multiple divisions. The division of Fish and Game no longer exist. Their duties and responsibilities were divided into two separate divisions within the department. The Division of Conservation & Resources Enforcement (DOCARE) is now the law enforcement entity for the Department, which regulates all law enforcement activities governed by the Hawaii Administrative Rules and the Hawaii Revised Statues. Therefore, because the subject property has been occupied, managed and maintained by DOCARE from its inception, it is being requested that the property be disposed to DOCARE via Executive Order. This disposition will allow for complete control and management of the parcel and all improvements (residence) constructed on it.

The existing dwelling is a single story, three bedroom, one bath wooden structure with a two-vehicle carport. The site address is 537 Akahi Place, Lanai, Hawaii. Refer to the attached photo report labeled as Exhibit C.

No agency or community comments have been solicited. There will be no change in the character of use, which has previously existed for the past forty-two years.

There are no other permits, leases or other encumbrances on the subject property.

RECOMMENDATION:

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

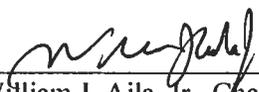
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Department of Land & Natural Resources, Division of Conservation & Resources Enforcement under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - 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 to best serve the interests of the State.

Respectfully Submitted,



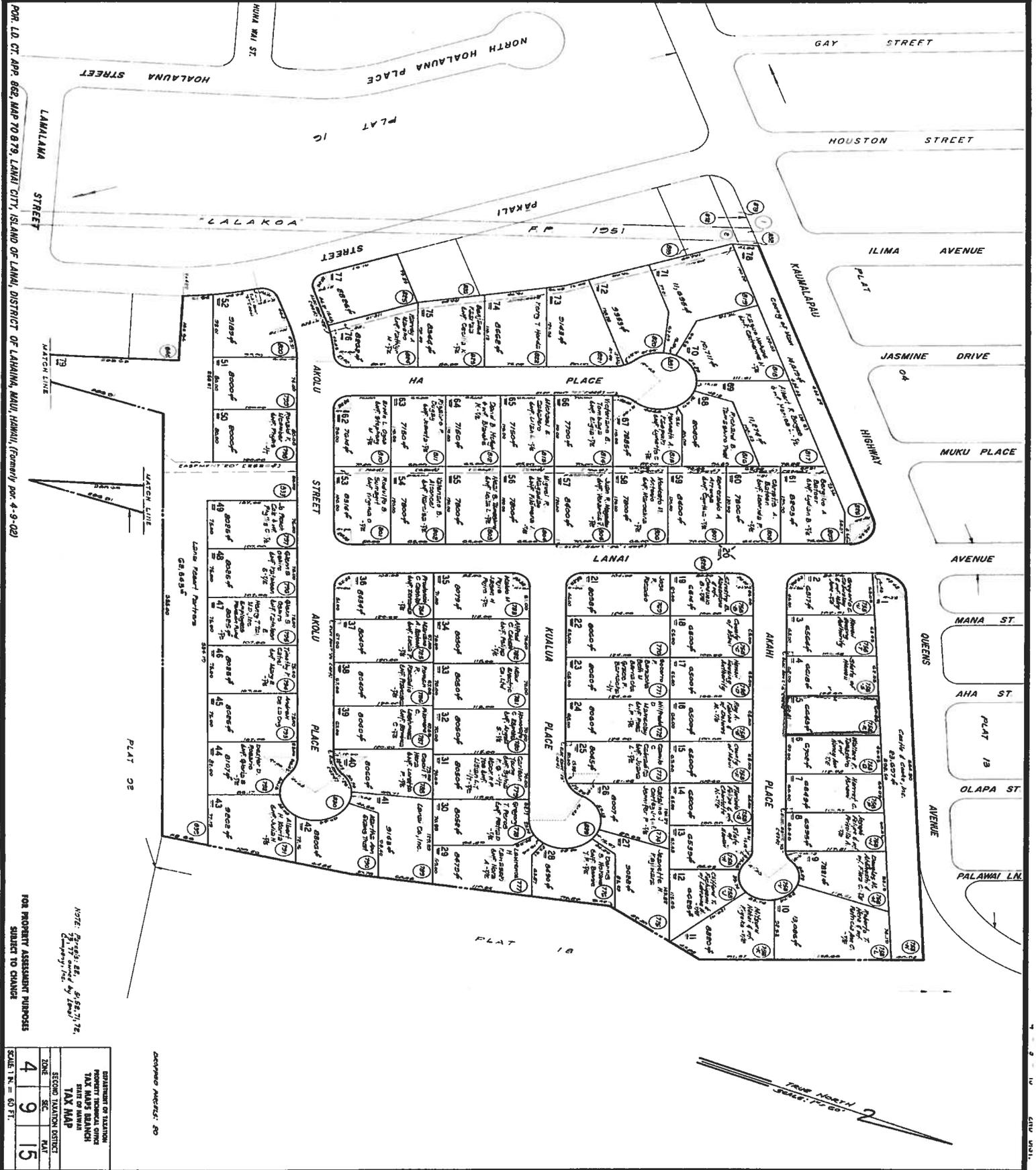
Larry Pacheco, Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

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FOR L.D. CT. APP. 668, MAP 70879, LANAI CITY, ISLAND OF LANAI, DISTRICT OF LANAI, MAUI, HAWAII, (FORMERLY PAR. 4-9-02)

FOR PROPERTY ASSESSMENT PURPOSES
 SUBJECT TO CHANGE

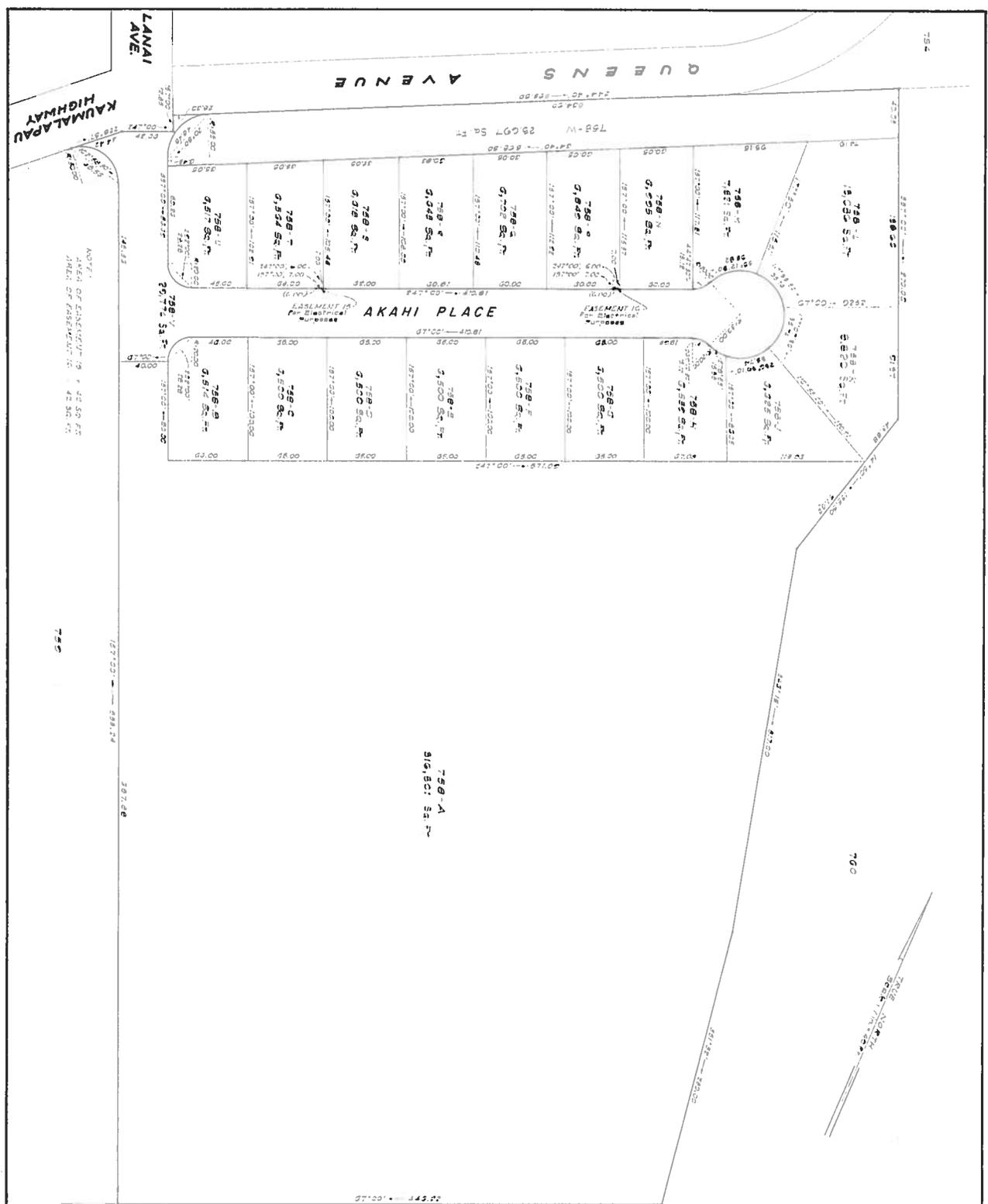
DEPARTMENT OF TAXATION
 PROPERTY TECHNICAL OFFICE
 TAX MAPS BRANCH
 TAX MAP

ZONE	4
SEC.	9
PLAT	15

SECOND TAXATION DISTRICT
 SCALE 1" = 60 FT.

Exhibit B

MAP 70



LAND COURT STATE OF HAWAII

LAND COURT APPLICATION 882

SUBDIVISION OF LOT 758
AS SHOWN ON MAP 69
INTO LOTS 758-A TO 758-N INCLUSIVE
758-J TO 758-N INCLUSIVE AND 758-P TO 758-W INCLUSIVE
AND DESIGNATION OF EASEMENTS IS AND IS
AT LANAI, HAWAII

BETT, COLLINS & ASSOCIATES, LTD.

August 24, 1991
402 Kaulaoni Blvd.
Honolulu, Hawaii
REGISTERED LAND SURVEYOR
REGISTERED OFFICE NO. 703

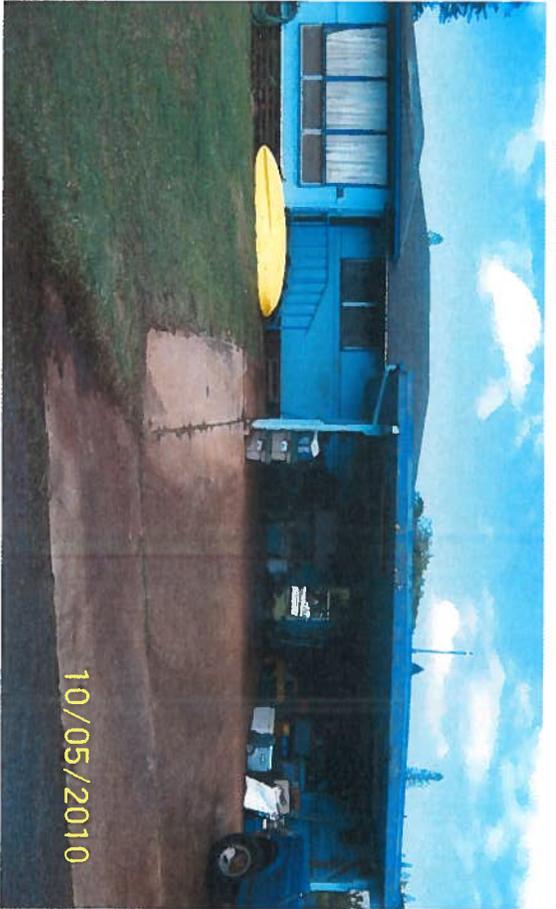


OWNER: Castle & Cooke, Inc.
OWNER'S CERTIFICATE OF TITLE: 90990

AUTHORIZED AND APPROVED BY ORDER
OF THE JUDGE OF THE LAND COURT
DATED SEPTEMBER 20, 1990
BY ORDER OF THE COURT
REGISTRAR OF THE LAND COURT

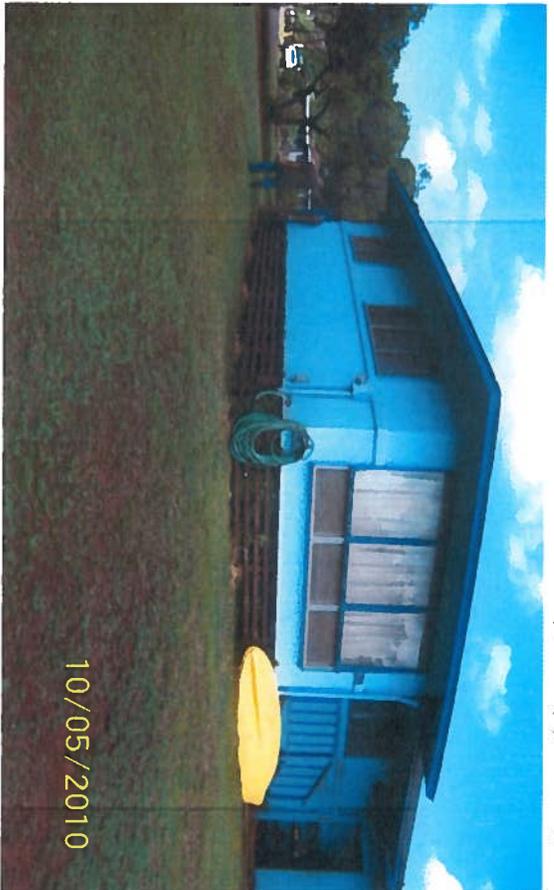
217,371.47 SQ. FT.

Photos taken: 10/5/10



10/05/2010

Lanai DOCARE House, TMK: (2) 4-9-015:005



10/05/2010



10/05/2010



10/05/2010



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

March 27, 2012

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Set Aside to Department of Land & Natural Resources, DOCARE for Employee Housing Purposes.

Project / Reference No.: 11MD-209

Project Location: Lanai City, Lanai, Maui, Hawaii, TMK: (2) 4-9-015:005

Project Description: Set Aside of a Residential Parcel to the DLNR, DOCARE for Employee Housing Purposes.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No. and Description: No. 1, Division of Land Management

In accordance with the Division of Land Management Environmental Impact Statement Exemption List, approved by the Environmental Council and dated April 28, 1986, the subject project is considered to be 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."

Exemption Item Description from Agency Exemption List: No. 5 that states: "Routine and emergency repair and restoration of existing structures and facilities on state lands involving negligible or no expansion or change of use beyond that previously existing."

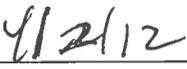
There will be no change in use on the subject property or its improvements. Routine maintenance and repairs will be conducted as required to the existing residential structure.

Recommendation:

It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J, Aila Jr., Chairperson



Date