

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

March 28, 2014

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

PSF No.: 14KD-016

Kauai

Request to Set Aside to Department of Land and Natural Resources, Division of Forestry and Wildlife for DLNR Westside Baseyard Purposes, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-008:por. of 020.

APPLICANT (requesting set aside):

State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Hanapepe situated at Hanapepe, Waimea, Kauai, identified by Tax Map Key: (4) 1-8-008:por. of 020, as shown on the attached map labeled Exhibits A & B.

AREA:

Revocable Permit No. S-6842, Tax Map Key: (4) 1-8-008:020 = 373.060 acres,
10 acres, more or less for Hanapepe Baseyard.

ZONING:

State Land Use District: Urban
County of Kauai CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-6842 to Gay & Robinson Inc.

PURPOSE:

Department of Land and Natural Resources - Westside base yard 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.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Process and obtain subdivision at Applicant's own cost;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;
- 3) Provide a written concurrence from Gay & Robinson, Inc. acknowledging approval for the removal of the ten (10) acres from Revocable Permit No. S-6842.

REMARKS:

Revocable Permit No. S-6627 was issued to Olokele Sugar Company Ltd. The Revocable Permit document covered Tax Map Keys: (4) 1-8-006:002, (4) 1-8-007:010 and (4) 1-8-008:020.

The Board at its April 8, 1994 meeting under Item F-6, approved the cancellation of Revocable Permit No. S-6627 to Olokele Sugar Company Ltd. and the issuance of a new Revocable Permit to Gay & Robinson, Inc. for sugar cultivation and pasture purposes covering the same Tax Map Keys.

The Board at its October 28, 2011 meeting under Item D-7, approved the cancellation of

Revocable Permit No. S-6842 for Sugar Cultivation and Pasture Purposes to Gay & Robinson, Inc. and authorized issuance of a new revocable permit for diversified agriculture and pasture purposes to Gay & Robinson, Inc.

The Board at its February 22, 2013 meeting under Item D-1, approved the withdrawal of six (6) acres from Revocable Permit No. S-6842 for addition to Governor's Executive Order No. 1390 for Kauai Veterans Cemetery.

The present request involves subdividing a 10-acre parcel adjacent to the new addition to the Kauai Veterans Cemetery from Parcel 20, Revocable Permit No. S-6842 to Gay & Robinson Inc. Land Division, Kauai Branch, has informed Gay & Robinson Inc. of the plan to utilize 10 acres of Parcel 20, identified on Tax Map Key: (4) 1-8-008. The permittee has no objections with the following comments:

- 1) Acreage removed from RP S-6842 and rent adjusted accordingly.
- 2) Fencing of perimeter of the 10-acre parcel.
- 3) Thirty (30) days' advance notice prior to construction to relocate/reroute irrigation system in area.
- 4) Coordinate with Gay & Robinson to relocate existing road and access gate at the Department of Land and Natural Resources' cost.

Division of Forestry and Wildlife is requesting 10 acres for a west-side baseyard for the Department of Land and Natural Resources. Other divisions will be also using this base yard to better serve the west side of Kauai, including:

Aquatic Resources: storage of signs, traps and other necessary materials for protections of native and resident aquatic species and their habitat.

Conservation and Resources Enforcement: area to store patrol vessels, jet skis, etc. This will allow quicker response time for enforcement of land and ocean activities on the west side, south and north shore of Kauai and Niihau, and will also provide a secured storage area for confiscated items and office space for officers to complete paperwork, assignments, etc.

Division of Forestry and Wildlife: area for building and other materials used to manage State-owned forests such as Kokee Forest Reserve; plant nursery for endangered species and protection of the ecosystem thru replanting after fires to mitigate soil erosion; and pen area for the Nene Goose protection project and other programs.

Land Division: storage area for signs, sign posts and other materials necessary to manage State-owned lands.

State Parks: storage area and office space for crew to serve parks on the west side of Kauai, for maintenance, landscaping and facilities repair.

Each division will greatly benefit by this baseyard by reducing travelling time to and from various sites on the west side of Kauai from the Lihue baseyards for pick-up of materials, etc.

Comments were solicited from the agencies identified below with the results indicated.

State Agencies:

DOH	Community Noise Control, Dust Screen, Disposal of Waste
DHHL	No response by suspense date
DLNR – Aquatic Resources	No response by suspense date
DLNR – DOBOR	No response by suspense date
DLNR - DOFAW	No objections
DLNR – Historic Preserv.	No response by suspense date
DLNR – State Parks	No objections
OHA	No response by suspense date

County Agencies

County Planning	No response by suspense date
Parks & Recreation	No objections
Public Works	No comments
Dept. of Water	No response by suspense date

Outside Agencies:

Gay & Robinson	No objections
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Staff has no objection to the requested action.

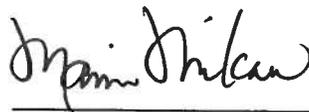
RECOMMENDATION:

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 and Natural Resources, Division of Forestry and Wildlife, under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:

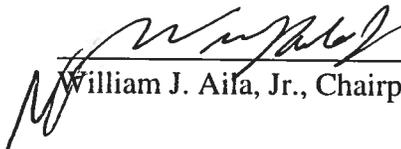
- A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
- B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following 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,

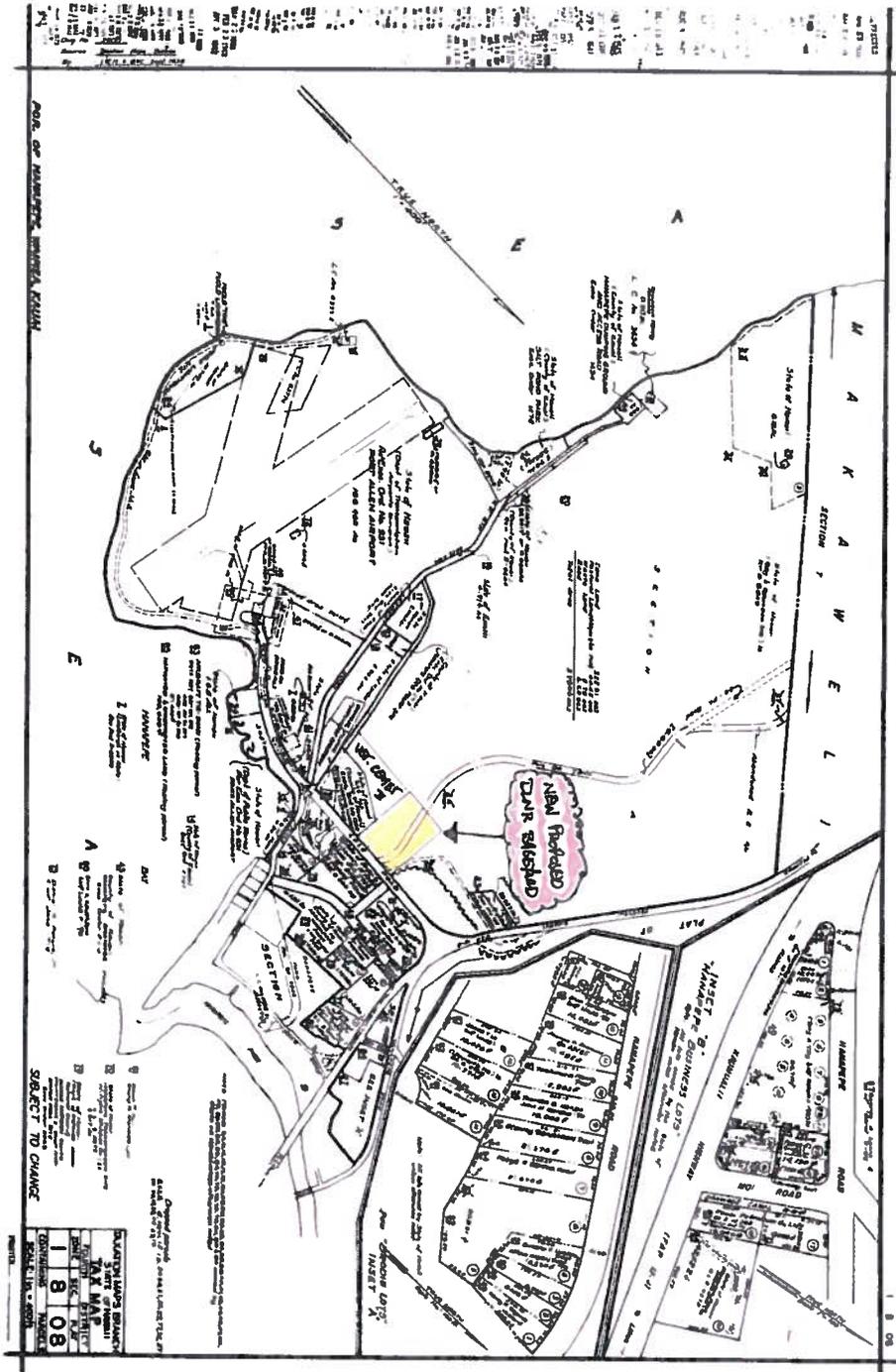


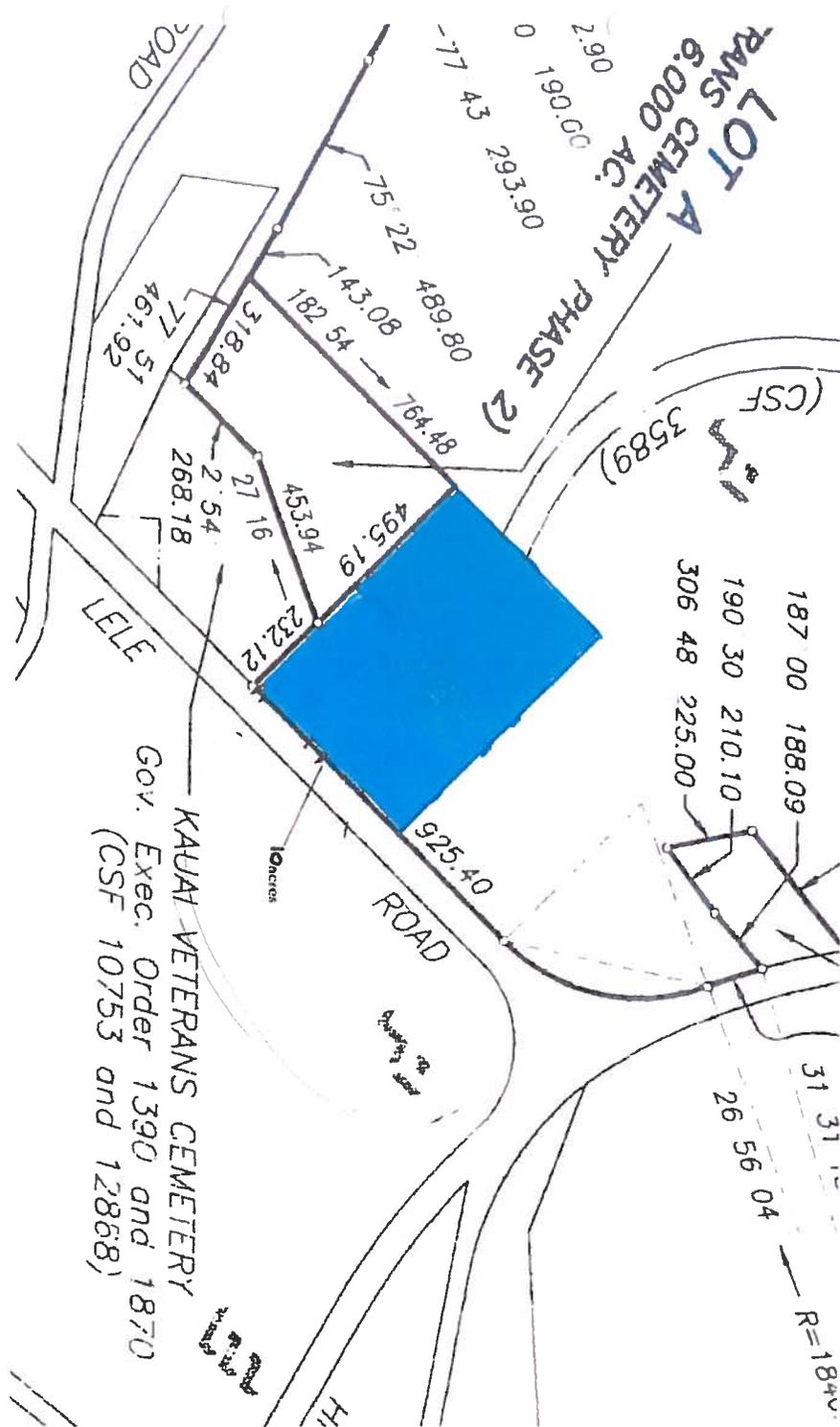
Marvin Mikasa
Acting District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aifa, Jr., Chairperson





TAKI (A) 1-8-006: par. 020

EXHIBIT "B"