

JOHN WAHEE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

P. O. BOX 621
HONOLULU, HAWAII 96809

MAR -3 1994

KEITH W. AHUE, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES

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JONAS L. HANAIAKE

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RECEIVED
MAR -8 AM 10:34

Mr. Brian J. Choy, Director
Office of Environmental Quality Control
220 South King Street, 4th Floor
Honolulu, HI 96813

OD-93-15d

Dear Mr. Choy:

Subject: Final Environmental Assessment Negative Declaration
for Land Exchange Between State of Hawaii and David
H. and Jill Kathleen Miller for Land Located at
Koolauloa, Oahu, TMK 5-4-02

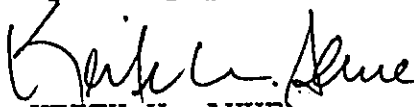
The State Department of Land and Natural Resources, Land
Management Division, has reviewed the Draft Environmental
Assessment for the subject project matter during the thirty (30)
day public comment period which began on November 8, 1993 and
ending December 9, 1993.

This agency has determined that the proposed land exchange
between the State of Hawaii and David H. and Jill Kathleen Miller
for land located at 54-122 Kamehameha Highway and further described
on Exhibit "A" for the Draft Environmental Assessment will not have
a significant environmental effect; and by this notice, the
Department of Land and Natural Resources is issuing a Negative
Declaration. Please publish the notice in the next available
publication date.

We have enclosed a completed OEQC Bulletin publication form
and four (4) copies of the Final Environmental Assessment.

Should you have any questions, please contact Nicholas Vaccaro
at 587-0433.

Very truly yours,


KEITH W. AHUE

Enclosures

cc: Ms. S. Himeno
Mr. M. Nekoba

1994-03-23-0A-FEA-Miller Land Exchange MAR 23 1994

FINAL ENVIRONMENTAL ASSESSMENT
NEGATIVE DECLARATION ANTICIPATED FOR EXCHANGE OF LAND
BETWEEN STATE OF HAWAII BY ITS
BOARD OF LAND AND NATURAL RESOURCES AND

DAVID H. MILLER AND JILL KATHLEEN MILLER

54-122 Kamehameha Highway
Hauula, Oahu, Hawaii

TMK: 5-4-02:03

LAW OFFICES OF CYNTHIA THIELEN

CYNTHIA THIELEN
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I. Applicant

David H. Miller and Jill Kathleen Miller
54-122 Kamehameha Highway
Hauula, Oahu, Hawaii
TMK: 5-4-02:03

II. Project Description

The parcel, TMK 5-4-02:03, is located at 54-122 Kamehameha Highway. The property is adjacent to Kamehameha Highway and Honomu Street and is also bounded by the Maakua Stream.

The Miller's have accepted a land exchange proposal from the State of Hawaii. The proposal seeks to exchange a triangular portion of State land running from Kamehameha Highway mauka along the Maakua Stream embankment in exchange for a triangular portion of the Miller's land located where the State reconstructed its Maakua Stream embankment. (See, Exhibit "A", Map of Location of CRM Retaining Wall Along Maakua Stream dated September 1992.)

The exchange has been prompted by an encroachment by the State of Hawaii onto the Miller's property. When the State constructed a CRM wall in approximately 1985, the wall did not follow the Millers' property line along Maakua Stream. Instead the retaining wall was built inside of the private property line. The land exchange proposal is in exchange for that portion of the property lost due to the construction of the CRM wall. (See, Exhibit "A".)

III. General Description of Projects Technical, Economic, Social and Environmental Characteristics

A. Technical Characteristics

1. Use Characteristics: This property and the adjacent property is zoned B-1 Neighborhood Business District. Other surrounding properties are zoned for residential use.
2. Physical Characteristics: The layout of the property, including lot size, survey, reference datum and existing structures can be viewed in Exhibit "A".
3. Construction Characteristics: No construction is proposed on the property.

B. Economic Characteristics

The proposed like for like exchange will not have a financial impact on the State and no impact on the surrounding community.

C. Social Characteristics

The proposed exchange will have no social impact on the community or the State.

D. Environmental Characteristics

The property is located on Maakua Stream adjacent to the Kamehameha Highway. The encroaching CRM retaining wall constructed by the State of Hawaii was constructed in 1985 as part of the Bank Protection and Clearing of Maakua and Hauula Stream. (See, Exhibit "B", Job No. 9-Of-10 Bank Protection and Clearing Maakua and Hauula Stream.) The retaining wall will stay in position and continue to be maintained by the State of Hawaii.

The proposed property exchange will have no effect on any endangered species, wildlife, birds or other natural resources.

IV. Major Impacts and Alternatives Considered

The property exchange has been arranged between the Department of Land and Natural Resources and the property owner. The proposed land exchange serves as the most equitable method for resolving the situation created by the State's encroachment of its CRM retaining wall. As previously discussed, the exchange has no impact on the physical, natural, social and economic environmental characteristics of the property.

V. Mitigation Measures

No mitigation measures are needed since the like for like exchange has no impact on the surrounding environment.

VI. Determination

Based on a review of the factors discussed in this environmental assessment, it is determined that no significant effect on the environment will occur with the proposed like for like land exchange.

VII. Exhibits

"A": Map of Location of CRM Retaining Wall Along
Maakua Stream dated September 1992

"B": Job No. 9-of-10 Bank Protection and Clearing
Maakua and Hauula Stream

VIII. Comments from Other Government Agencies

The following agencies were notified of the proposed exchange for this review and comments (copy attached).

1. State Department of Land and Natural Resources,
Division of Water and Land Development:

"Since the wall has been repaired, we have no
objection to this land exchange."
2. City and County of Honolulu Public Works:

"We have no objection to the disposition of the
subject property. There are no city sewers in the
subject area."
3. State Department of Transportation (DOT):

Not Applicable
4. Hauula Neighborhood Board:

No Response

IX. Negative Declaration

The State Department of Land and Natural Resources, Land Management Division has reviewed the Draft Environmental Assessment and has determined that the proposed land exchange between the STATE OF HAWAII and DAVID H. MILLER and JILL KATHLEEN MILLER for land located at 54-122 Kamehameha Highway and further described on Exhibit "A" of the Notice of Draft Environmental Assessment will not have a significant environmental effect and by this notice, the Department of Land and Natural Resources is issuing a Negative Declaration.