

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

April 27, 2012

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

**HAWAII**

Issuance of Right-of-Entry Permit to Imata & Associates, Inc. for Field/ Topographical Survey and Geo-technical Investigations Purposes Upon State Lands at Waiakea, South Hilo, Hawaii, Tax Map Key: 3<sup>rd</sup>/ 2-4-001: 19, 24, 179, 181, 182 & 183, 2-4-028: 001, and 2-4-056:014, 022, 028 & 029.

**APPLICANT:**

Imata & Associates, Inc., a Hawaii corporation.

**LEGAL REFERENCE:**

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

**LOCATION:**

Portion of Government lands situated at Waiakea, South Hilo, Hawaii, identified by Tax Map Key: (3) 2-4-001: 019, 024, 179, 181, 182 & 183, (3) 2-4-028: 001, and (3) 2-4-056:014, 022, 028 & 029, as shown on the attached map labeled Exhibit A.

TAX KEY:	MAP	DISTRICT	ZONING		ENCUMBRANCE(S)	AREA (Acres)
			SLU	CZO		
(3) 2-4-001:019		Waiakea	Urban	RS-10	EO 2125: County of Hawaii-Wailoa River Tributaries Flood Control Project	33.087
(3) 2-4-001:024		Waiakea	Urban	RS-10	Vacant - In progress, proposed set aside to University of Hawaii. (5/12/06, D-4)	35.11
(3) 2-4-001:179		Waiakea	Urban	RS-10	General Lease No. S-5976: Hospice of Hilo.	3.500
(3) 2-4-001:181		Waiakea	Urban	RS-10	Vacant - Proposed Kapiolani Street Extension	0.7719
(3) 2-4-001:182		Waiakea	Urban	RS-10	Vacant - Proposed Kapiolani Street Extension	0.663
(3) 2-4-001:183		Waiakea	Urban	RS-10	Vacant	2.559
(3) 2-4-028:001		Waiakea	Urban	RS-10	Vacant	0.370
(3) 2-4-056:014		Waiakea	Urban	RS-10	Vacant - In progress, proposed set aside to University of Hawaii. (5/12/06, D-4)	7.521
(3) 2-4-056:022		Waiakea	Urban	RS-10	General Lease No. S-4610: Kamana, Inc.	7.159
(3) 2-4-056:028		Waiakea	Urban	RS-10	Vacant	3.592

(3) 2-4-056:029	Waiakea	Urban	RS-10	Vacant – Proposed Kapiolani Street Extension	1.679
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ZONING:

State Land Use District: Urban  
County of County CZO: Residential

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CHARACTER OF USE:

For purposes of conducting field/ topographical survey and geo-technical investigations.

TERM OF RIGHT-OF-ENTRY:

90-days, commencing from date of acceptance by Applicant of Permit terms and conditions.

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 5, No. 1, that states " Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached below as **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from all users of the subject land.

REMARKS:

By letter dated March 15, 2012, Clyde Matsunaga of Imata & Associates, Inc., on behalf of SSFM, Inc., as retained by the County of Hawaii, requested a right-of-entry onto State lands to conduct survey services relating to the proposed Kapiolani Street Extension project. The project will involve the survey of the proposed Kapiolani Street alignment over State lands and sections for the Mohouli Street/Lanikaula Street intersection improvements. The survey work will be conducted intermittently over a 90-day period. The applicant is in the process of acquiring the necessary letters of concurrence from the various users of the adjacent State properties.

At its meeting of May 12, 2006, Item D-4, the Board of Land and Natural Resources approved the set aside of the subject parcel (TMK: 3<sup>rd</sup>/ 2-4-001: 014) to the University of Hawaii for Education, Housing, and related purposes. The transfer of management to the University is still in the process.

No agency or community comments were solicited, as there will be no new land disposition or change in land use.

Applicant is in the process of obtaining written concurrences from the various users of the respective State parcels.

This right-of-entry will be gratis as this is a government-sponsored project.

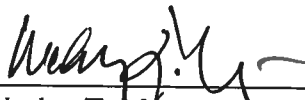
Staff request that the Chairperson be authorized to issue term extensions of the subject right-of-entry, should the need arise.

RECOMMENDATION: That the Board


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.

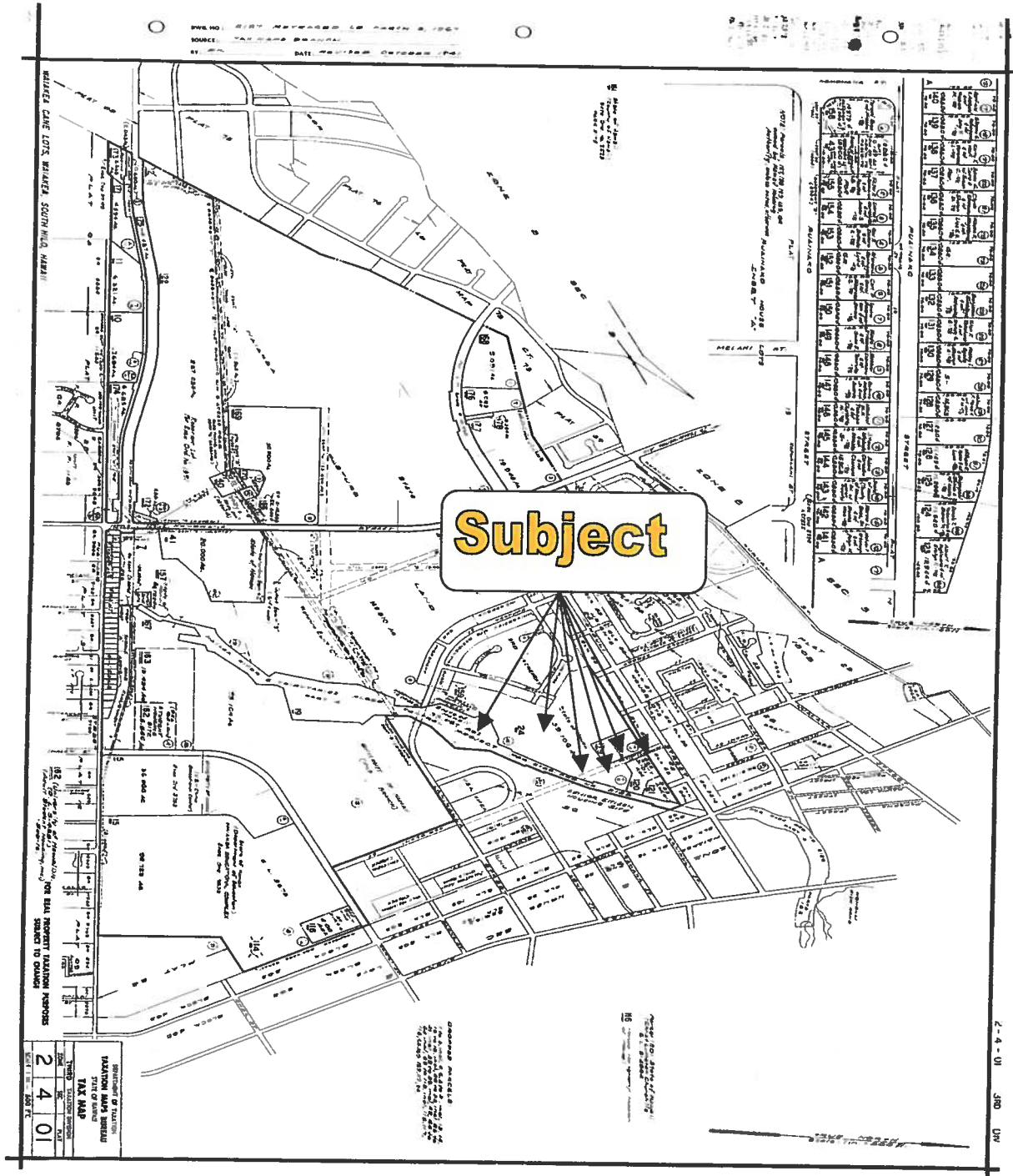
2. Authorize the issuance of a right-of-entry permit to Imata & Associates, Inc., its consultants, contractors, and/or persons acting for or on its behalf, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
  - C. Authorize the Chairperson to issue future right-of-entries to the Applicant in relation to its survey work.

Respectfully Submitted,

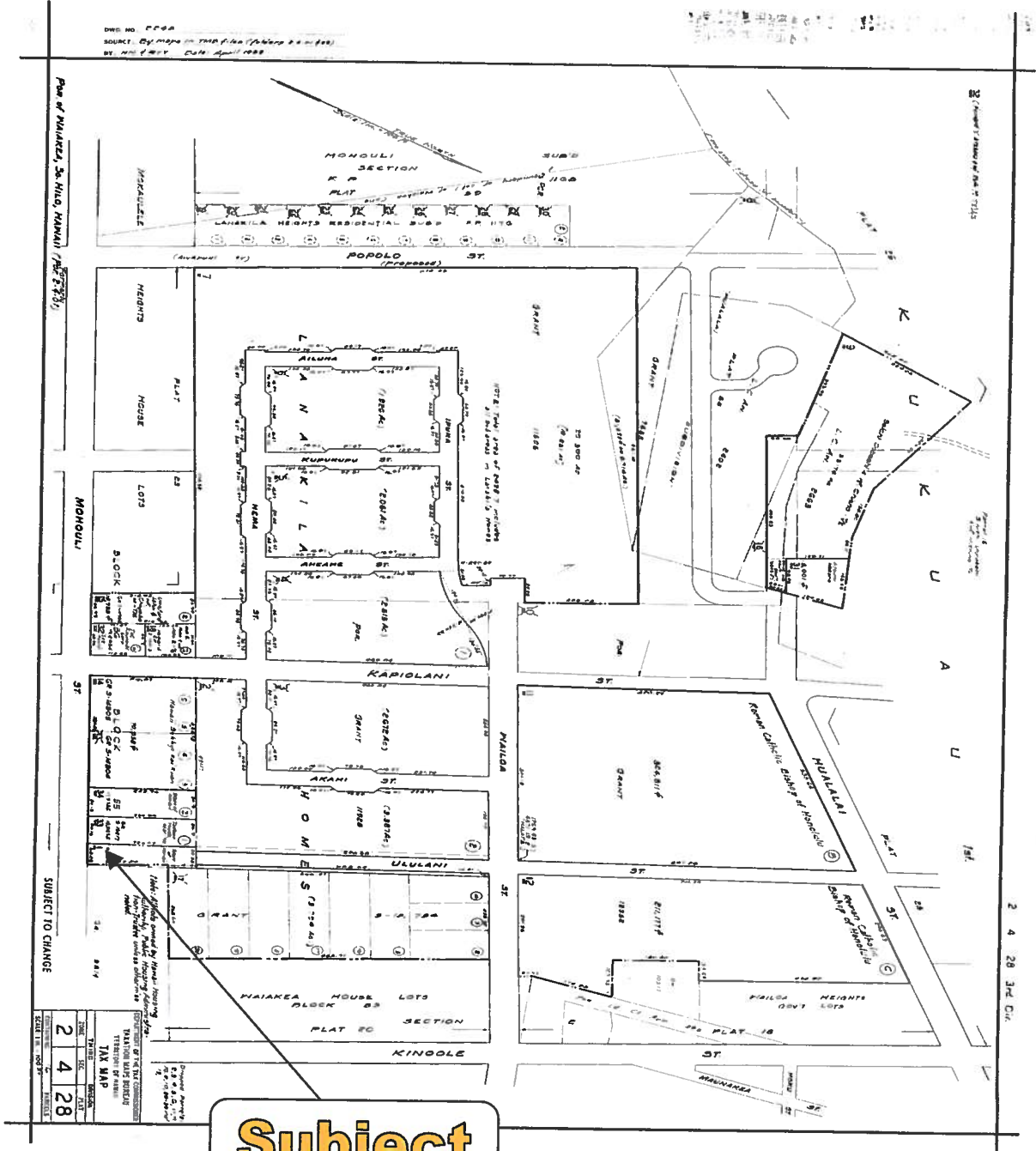
  
\_\_\_\_\_  
Wesley T. Matsunaga  
Land Agent

APPROVED FOR SUBMITTAL:

  
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William J. Aila, Jr., Chairperson



# EXHIBIT A



DWG NO. 000A  
 SOURCE: BY MAPS ON THIS FILE (PLATS 2-4-188)  
 BY: [Signature] Date: April 1988

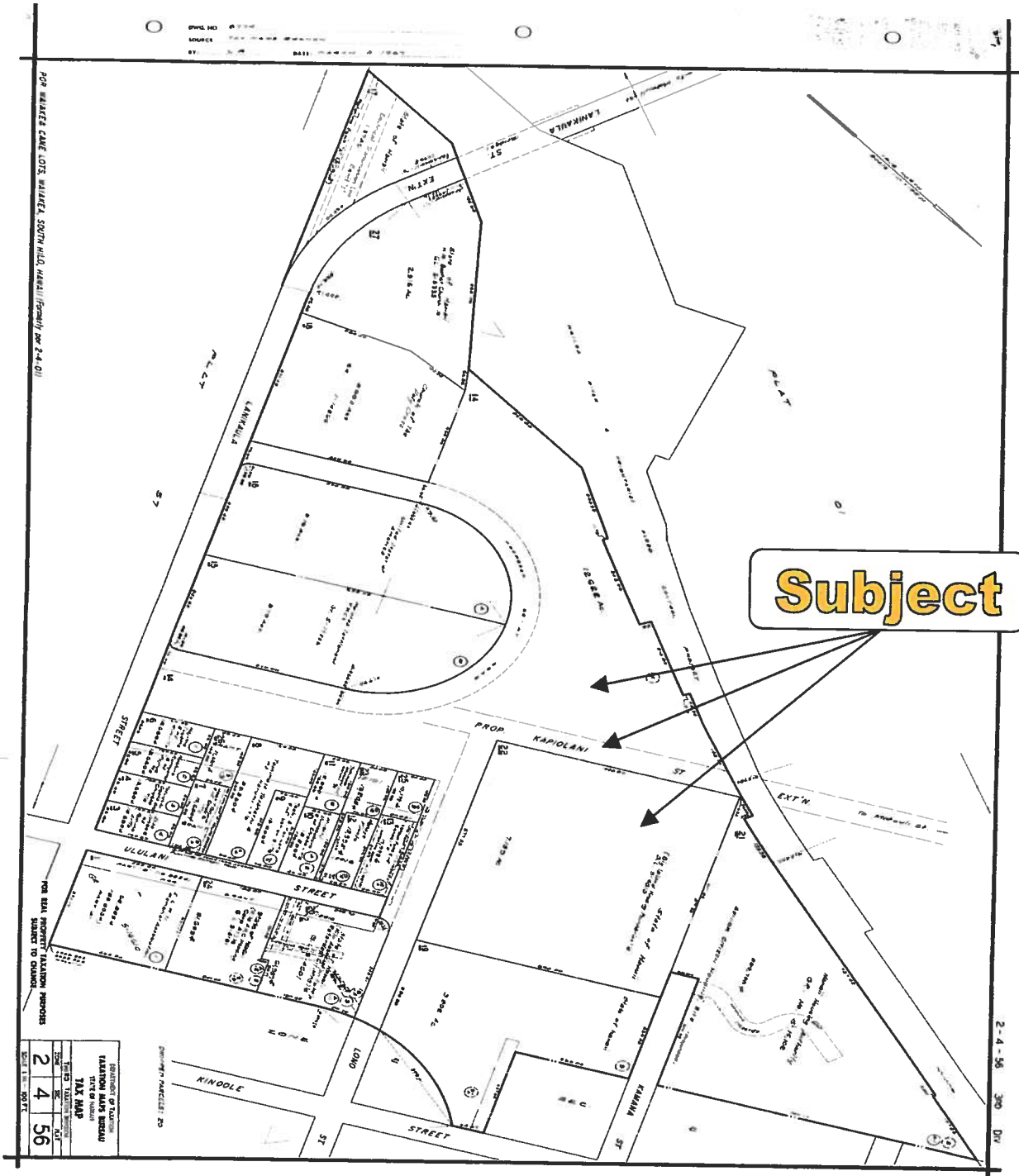
Part of MAHAKEA, 3d. 1110, HAWAII (PLAT 2-4-188)

SUBJECT TO CHANGE

SCALE	1" = 100'
DATE	2 4 28
BY	[Signature]
CHECKED	[Signature]
APPROVED	[Signature]
TAX MAP	

**Subject**

**EXHIBIT A**



**EXHIBIT A**

Imata & Associates, Inc.  
Kapiolani Street Ext Survey Right-of-Entry  
TMK: (3) 2-4-001: 019, 024, 179, 181,  
182 & 183, (3) 2-4-028: 001, and  
(3) 2-4-056:014, 022, 028 & 029.

Page 8

April 27, 2012

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



WILLIAM J. AHA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**LAND DIVISION**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

April 27, 2012

**EXEMPTION NOTIFICATION**

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

Project Title: Request for Right-of-Entry by Imata & Associates, Inc., for survey work relating to the proposed Kapiolani Street Extension project.

Project Location: Waiakea, South Hilo, Hawaii, TMK: 3<sup>rd</sup>/ 2-4-001: 19, 24, 179, 181, 182 & 183, 2-4-028: 001, and 2-4-056:014, 022, 028 & 029.

Project Description: To conduct survey work relating to the proposed Kapiolani Street Extension project.

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

Exemption Class No. and Description: 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 Item Description  
from Agency Exemption List:

**Exemption Class No. 5, Item No. 1**, that states "Permission to enter State lands for the purpose of basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility study purposes."  
For basic data collection, research, experimental management and resources evaluation activities such as archaeological survey, topographic survey, test borings for soil test, ground cover survey inspection of property for appraisal and development feasibility

**EXHIBIT B**



Recommendation:

study purposes.

The activity will consist primarily of data collection and not involve any ground disturbance. It is recommended that the Board of Land and Natural Resources find that the proposed action is exempt from the preparation of an environmental assessment.



\_\_\_\_\_  
William J. Aila, Jr., Chairperson

3/29/12

\_\_\_\_\_  
Date