

NEIL ABERCROMBIE  
GOVERNOR



GLENN M. OKIMOTO  
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IN REPLY REFER TO:

13 APR 29 A9:46

HARBORS DIVISION

STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
889 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

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

OAHU

ISSUANCE OF A MANAGEMENT RIGHT-OF-ENTRY TO THE DEPARTMENT OF TRANSPORTATION, HARBORS DIVISION, FOR MANAGEMENT AND CONTROL OF 53.948 ACRES AT KALAELOA BARBERS POINT HARBOR, OAHU, TAX MAP KEY: 1<sup>ST</sup>/9-1-14: PORTION OF 26, WHICH WAS RECENTLY ACQUIRED BY THE STATE PENDING ISSUANCE OF A GOVERNOR'S EXECUTIVE ORDER.

**STATUTE:** Section 171-95, Hawaii Revised Statutes, as amended

**APPLICANT:** Department of Transportation.

**CHARACTER USE:** Lands to be used for maritime and maritime related purposes.

**LOCATION:** Portion of Government lands, situated at Kalaeloa Barbers Point Harbor, Tax Map Key No. 1<sup>st</sup>/9-1-14, as shown on the attached Exhibit "A."

**STATUS:** Governor's Executive Order to set aside the subject lands to the Department of Transportation is pending completion by DLNR.

**AREA:** Approximately 53.948 acres.

**ZONING:** State Land Use Commission: Urban  
City and County of Honolulu: Industrial-General

**LAND TITLE STATUS:** Land acquired after Statehood, non-ceded.

**COMMENCEMENT DATE:** Effective upon issuance.

**ITEM M-5**

CHAPTER 343, ENVIRONMENTAL

ASSESSMENT: The area is exempt from OEQC requirements pursuant to Sub-Chapter 11-200-8 of the Hawaii Administrative Rules that exempts the “operation, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously exists.”

REMARKS: The State acquired 53.948 acres, including the coral stockpile, from Campbell Hawaii Investors LLC on December 31, 2012. The acquisition cost of \$20.7 million was funded with Harbor revenues. The Department of Hawaiian Home Lands subsequently requested thru its contractor, Paradigm Construction, to haul coral stockpile material. The Department of Transportation received the Land Board’s approval in its March 22, 2013, meeting to issue an ROE to Paradigm. In reviewing the ROE Agreement to Paradigm, we were advised by the Attorney General’s office that because DLNR has not issued an executive order as yet to DOT, a management ROE should be issued by DLNR to DOT until such time that an executive order is in place to provide for DOT’s management and control of the 53.948-acre subject property. The “Management Right of Entry” document to be issued by DLNR to DOT will be submitted to the Department of the Attorney General for review and approval as to form.

RECOMMENDATION:

That the Board authorizes the issuance of a Management Right-of-Entry to the applicant, subject to the terms and conditions outlined above and incorporated herein by reference and such terms and conditions as may be prescribed by the Director of Transportation.

Respectfully submitted,



GLENN M. OKIMOTO, Ph.D.  
Director of Transportation

Attachments

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.  
Chairperson and Member  
Board of Land and Natural Resources



# KALAELOA BARBER'S POINT



53.948 acres acquired  
by State, Dec 2012,  
TMK (1) 9-1-14: portion  
of 26

Hanua Road

Malakole Street