

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

July 26, 2013

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

PSF No.:09KD-068

Kauai

Request for Issuance of Revocable Permit to Keith Silva for Pasture Purposes, Por. Of Ili of Kikiaola, Waimea, Kauai, Tax Map Key:(4) 1-2-006:018.

APPLICANT:

Keith Silva, married, Tenant in Severalty.

LEGAL REFERENCE:

Sections 171-11, 13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Ili of Kikiaola, situated at Waimea, Kauai, identified by Tax Map Key: (4) 1-2-006:018, as shown on the attached map labeled Exhibit A.

AREA:

50.264 acres, more or less.

ZONING:

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

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Pasture purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$251.00 per month, calculation attached as Exhibit B.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached as Exhibit 'C'.

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Place of business registration confirmed:	N/A
Registered business name confirmed:	N/A
Applicant in good standing confirmed:	N/A

Applicant is an individual and, as such, is not required to register with DCCA.

REMARKS:

This parcel consist of approximately 50.264 acres in Kikiaola Ahupua'a, Waimea, Kauai. It was last used by Kekaha Sugar Company as part of sugar plantation system. This area

is mostly rocky cliffside with very limited vegetation growth and facing the western side of Waimea and has a very dry climate with no water resource.

Applicant intends to use the land for pasture purposes to raise horses and cattle. He plans to clear the land and install fences to keep the animals in the pasture.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Staff recommends a month-to-month tenancy is more appropriate than a long-term disposition.

Staff recommends the Board authorize the issuance of the request for a revocable permit at a rent of \$251.00 per month, see Exhibit B.

Comments were solicited from:

State Agencies

DOH	Best management practices should be used to control runoff into local streams
DLNR – Historic Presev.	No historic properties will be affected
DOA	Parcel gross or net acreage

County Agencies

County Planning	No objections
Public Works	Best agricultural management practices should be used at all times

Other Agencies:

OHA	Agrees w/issuance of RP, not lease
NRCS	No response by suspense date

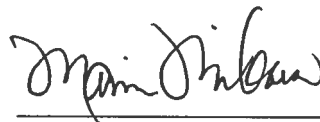
RECOMMENDATION: That the Board:

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 revocable permit to Keith Silva covering the subject area for pasture purposes 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 revocable permit form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



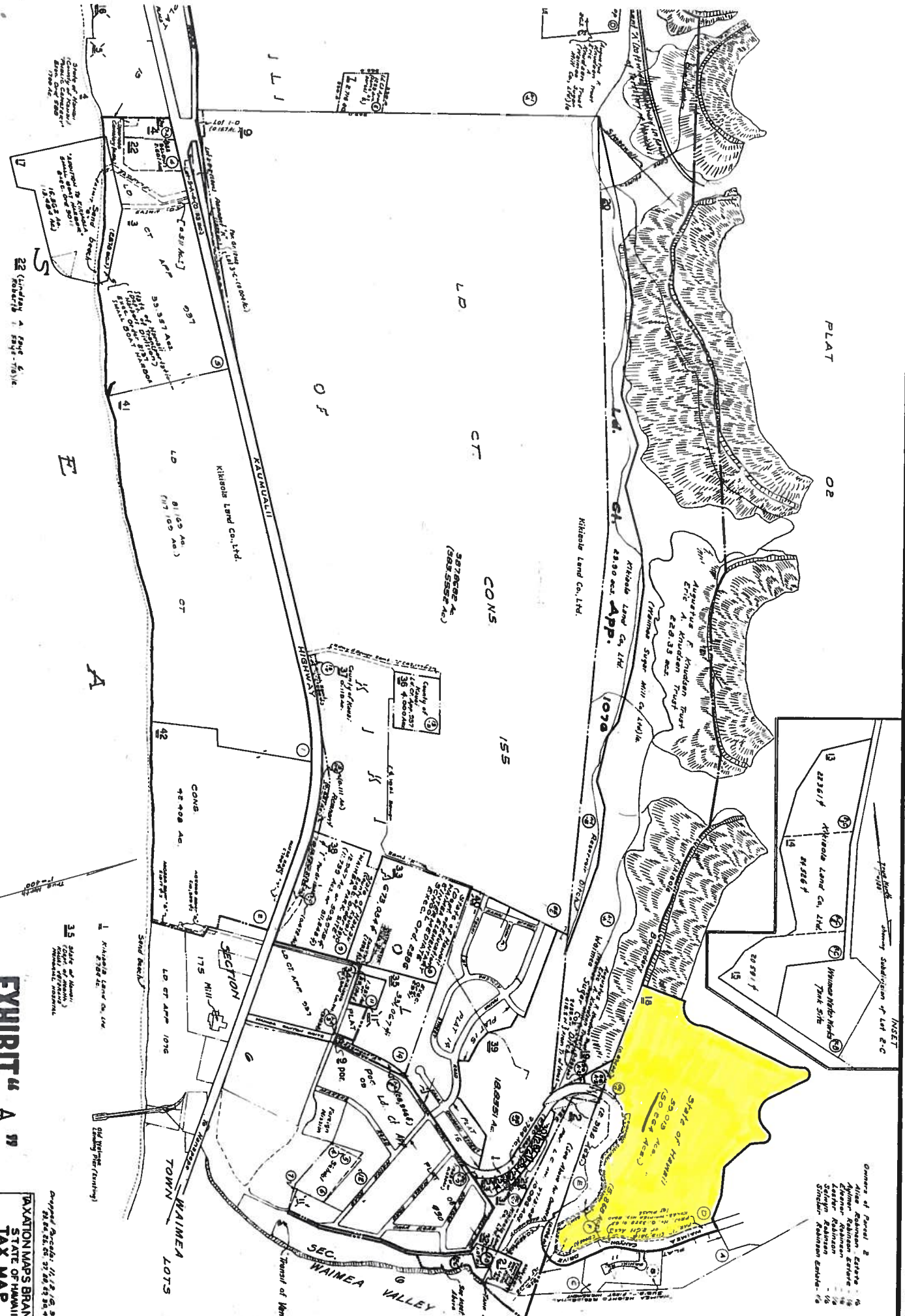
Marvin Mikasa
Land Agent *ml*

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

PLAT 02



- Owners of Parcel 2
- Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8
 - Alvin Robinson Estate - 1/8

WAIMEA, WAIMEA KAUAI, HAWAII

EXHIBIT "A"

SUBJECT TO CHANGE

31 Kiholo Land Co. Ltd. 173,500 Ac.

TAXATION MAPS BRANCH			
STATE OF HAWAII			
FOURTH DISTRICT			
ZONE	SEC	PLAT	
1	2	06	
CONTAINING PARCELS			
SCALE: 1/4" = 400 FT.			

Prepared December 11, 1952

PRINTED

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WILLIAM J. AILA, 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

June 17, 2013

SUBJECT: In-House Valuation Recommendation – Revocable Permit for Pasture Purposes

PSF No.: 09KD-068
Applicant: Keith Silva
Location: Kikiaola Ahupua'a, Waimea, Kauai
Tax Map Key: (4) 1-2-006:018
Char. Of Use: Pasture

We have been requested to provide a monthly rent amount for the issuance of a revocable permit for pasture purposes on the above-referenced property. This rent amount reflects Staff's recommendation to the Chair and approval is required for this permit to be drafted.

The subject consists of approximately 50.264 acres in Kikiaola Ahupua'a, Waimea, Kauai. This parcel was last used by Kekaha Sugar Company as part of sugar plantation system. This area is mostly rocky cliffside with very limited vegetation growth. This parcel is facing the western side of Waimea and has a very dry climate with no water source.

Applicant was leasing a parcel by McBryde Sugar Company in 2007 for \$12.00 per acre. This parcel was level area with a water source and vegetation growth.

Staff feels that the rent should be at \$5.00 per acre given the cliffside terrain and very little vegetation growth and no water source. See attached photos.

Rounded to: \$5.00 per acre x 50.264 = \$251.32
Rent: **\$251.00 per month**

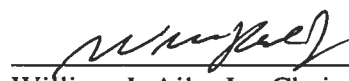
Therefore, as of the date of this document, the monthly rent for the revocable permit to the applicant will be \$251.00 per month.

EXHIBIT "B"

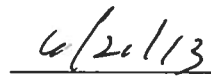
Special Assumptions and Limiting Conditions

- 1) This rental valuation estimate is for internal purposes only. This document does not take the place of an appraisal and does not constitute an appraisal that adheres to the Uniform Standards of Professional Appraisal Practices.
- 2) Currently, Land Division does not have a staff appraiser. As a result the subject property was not inspected by an appraiser.

Approved/Disapproved:



William J. Aila, Jr., Chairperson



Date

 cc: District File
Central File

- Available Layers
- Parcels
 - Parcel Numbers
 - Address #
 - Yearly Sales
 - Roads
 - Buildings
 - Streets (Google)
 - Satellite (Google)
 - Hybrid (Google)
 - Physical (Google)



Show scale



Kauai County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Kauai Home / Property Search

Reports

View as: Google Earth | Bird's Eye | Google Maps & Street View

Selected Parcel	120680180000 (Click for details)
Property Class	Agricultural
Acres	59.013
Physical Address	STATE OF HAWAII
Owner	
Total Market Value	\$ 2,925,600
Total Assessed Value	\$ 2,925,600
Total Exemptions	\$ 606,200
Total Net Taxable Value	\$ 2,319,400
Improvements on Parcel	0
Total Improvement Area	0
sq. ft.	
Two most recent parcel sales	
Date	Price
Mensele last updated May 16, 2013	
GIS Maps last updated August 14, 2012	

Parcel List

Legend

Measure



PARCEL





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION

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

Project Title: Request for an Issuance of Revocable Permit to Keith Silva for Pasture Purposes

Project / Reference No.: PSF 09KD-068

Project Location: Por. of Ili of Kikiaola, Waimea, Kauai, Tax Map Key: (4) 1-2-006:018

Project Description: Issuance of Revocable Permit for Pasture Purposes

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

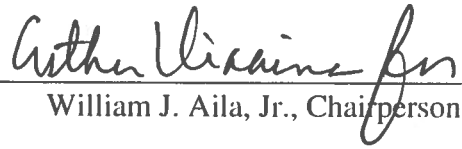
Exemption Class No. and Description: In accordance with Hawaii Administrative Rules, Section 11-200-8(a)(1)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The Division has granted similar permits in the past. The activity continues to occur on other areas across the state. Such activities have resulted in no know significant impacts, whether immediate or cumulative, to natural, environmental and/or cultural resources in the area. As such staff believes that the proposed permit would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

EXHIBIT C

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



JUL 15 2013

Date