

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

August 9, 2013

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

PSF No.: 13MD-079

Maui

Set Aside to the County of Maui, Department of Public Works, Highways Division,
for Stockpiling of Roadway Repair Material Purposes and Issuance of Immediate
Management Right-of-Entry, Wakiu, Hana, Maui, Tax Map Key: (2) 1-3-006:
Portion of 015.

APPLICANT:

County of Maui Department of Public Works, Highways Division

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Wakiu situated at Hana, Maui identified by Tax Map
Key: (2) 1-3-006: Portion of 015, as shown on the attached map labeled Exhibit A.

AREA:

2.0 acres, more or less.

ZONING:

State Land Use District: Agriculture
County of Maui CZO: Agriculture & Special Management Area

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.

PURPOSE:

Stockpiling of roadway repair material purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Department of Land and Natural Resources Department-wide Exemption List, approved by the Environmental Council and dated December 4, 1991, the subject project is considered to be 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".

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.

REMARKS:

The subject property was previously encumbered by Land License S-340 to Hana Trucking & Equipment Co. from November 20, 1998 through August 31, 2011. The land license was issued for excavation and storage of rock material for commercial purposes. This business provided excavated rock material to the rural Hana community.

Upon cancellation of Land License S-340, a Hazardous Waste Evaluation was completed with the following findings: No recognized environmental conditions in connection with the property resulting from Hana Trucking & Equipment Company's activities. No visible signs of hazardous materials were noted on the subject property.

The County of Maui Department of Public Works, Highways Division, has requested the use of a 2-acre portion of land at the subject location for stockpiling of roadway repair and maintenance materials such as cinder and gravel. Due to Hana's rural location, it is extremely important for the Highways Division to be able to store and have materials readily available in the event that emergency road repairs are required.

Currently, the requested parcel is unencumbered and there are no immediate plans for the utilization of the 14.0 acre property. Staff will also work with the County of Maui Department of Public Works, Highways Division to have the requested 2 acre stockpiling area situated where it will not prevent future use of the remaining 12 acres.

AGENCY COMMENTS:

Comments were solicited from to the following agencies:

Agency	Comments
County of Maui – Planning Dept.	No objections or comments.
County of Maui – Public Works	No response
Office of Hawaiian Affairs	No response

RECOMMENDATION:

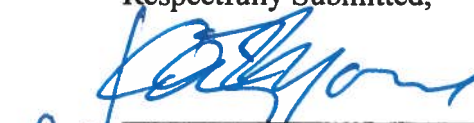
That the Board, subject to Applicant fulfilling the Applicant Requirements above:

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 the County of Maui Department of Public Works, Highways Division, 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.
3. Authorize the issuance of an immediate management right-of-entry permit to the County of Maui Department of Public Works, Highways Division, covering the subject land 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; and
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 9, 2013

EXEMPTION NOTIFICATION

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

Project Title: Set Aside and Immediate Right-of-Entry to the County of Maui, Department of Public Works-Hana Highways Division for Stock Piling Material for Roadway Repair Purposes, Lahaina, Maui, Tax map Key: (2) 1-3:006: Portion of 015.

Project / Reference No.: PSF# 13MD-079


Project Location: Wakiu, Hana, Maui

Project Description: Set aside of a 2.0 acres of State land to the County of Maui, Department of Public Works-Hana Highways Division for stock piling of material for roadway repair purposes.

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

Exemption Class No. and Description: In accordance with the Department of Land and Natural Resources Department-wide Exemption List, approved by the Environmental Council and dated December 4, 1991, the subject project is considered to be 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".

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.

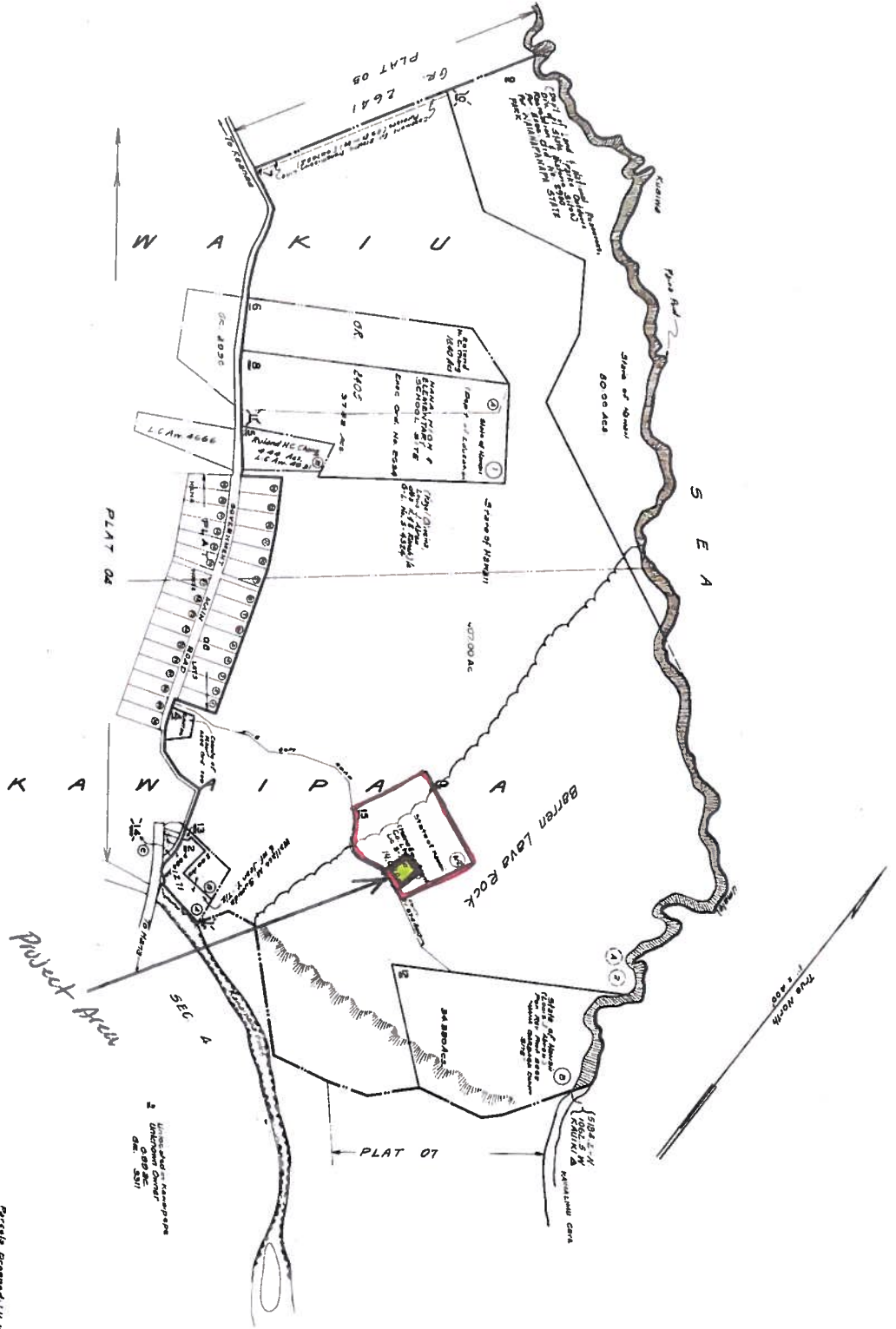


William J. Aila Jr., Chairperson

Date: 7/24/13

Dwg No. 2202
 Source: C.S.P. 6336, Survey Dept. & Tax Map Bureau
 By: L.H. & H.N. July 1937

Re: WAKIU & KAWAIPIPA, HAWAII, MAUI.



DRAWN BY
 W. H. CHANDLER

Private Engraving, Ltd.,
 HONOLULU, HAWAII

SECOND DIVISION	1
ZONE SEC. PLAT	3 06
CONTAINING PARCELS	
SCALE (1" = 400 FT.)	

PRINTED

EXHIBIT A