



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

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

REQUEST FOR ISSUANCE OF GOVERNOR'S EXECUTIVE ORDER
SETTING ASIDE LANDS ACQUIRED FROM THE UNITED STATES OF AMERICA
ON THE ISLAND OF OAHU, KAPALAMA MILITARY RESERVATION,
TO THE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION
TAX MAP KEYS: (1) 1-2-025: 002, 074, 075, 108, 109 and 110

OAHU

APPLICANT:

Department of Transportation, Airports Division (DOTA).

LEGAL REFERENCE:

Sections 171-11, 261-4, and other applicable sections, Hawaii Revised Statutes, as amended.

LOCATION:

Lands conveyed by the United States of America situated on the Island of Oahu, identified by Tax Map Keys: (1) 1-2-025:002, 074, 075, 108, 109 and 110, as described in Exhibit A and shown on the attached map labeled Exhibit B.

AREA:

Total of 11.344 acres, more or less.

ZONING:

State Land Use District: Urban
County: I-3, Industrial

ITEM M-1

LAND TITLE STATUS:

Ceded land, State land acquired under Public Law 88-233 (77 Stat 472)
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES__ NO X

CURRENT USE:

Vacant land with abandoned buildings. From May 2000 until January 2012, the Department of Transportation, Harbors Division, under an agreement with DOTA, had been providing management services for the 11.344 acres. As of February 2012, DOTA has taken back management of the land.

CONSIDERATION:

\$17,543.00 (SEVENTEEN THOUSAND FIVE HUNDRED FORTY-THREE AND NO/100 DOLLARS). P.L. 101-189 Section 2814 (2) In consideration for the conveyance authorized under paragraph (1), the State of Hawaii shall pay to the United States the fair market value, as determined by the Secretary, of any improvements on the land not made at the State's expense.

PURPOSE:

Airport purposes under Hawaii Revised Statutes, Section 261-7.

CHAPTER 343, HRS – ENVIRONMENTAL REQUIREMENTS:

Finding of Suitability to Transfer (FOST), dated May 1999, was prepared by the Department of the Navy as this parcel became available through the Base Realignment and Closure Program (BRAC) and transferred under Section 120 (h) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

REMARKS:

On May 25, 2000, by Quitclaim Deed filed in the Bureau of Conveyances, as Document No. 2000-072879, the United States of America, by and through the Department of the Navy, conveyed to the STATE OF HAWAII, by and through the Department of Transportation, in fee simple, 11.344 acres of land designated as a portion of Tract D, being a portion of Kapalama Military Reservation, Honolulu, Hawaii, Island of Oahu, State of Hawaii, including buildings and improvements erected thereon, as said property.

On June 6, 2000, the Department of Transportation transmitted a memorandum requesting an Executive Order for the subject 11.344 acres. In response to an April 4, 2001 status inquiry to the Board of Land and Natural Resources, the Department of Transportation was informed by memorandum dated April 20, 2001 from the Board of Land and Natural Resources stating that this parcel was ceded land and that staff would not be processing the request at this time. On March 17, 2003, the Department of Transportation transmitted a follow-up request for the issuance of an Executive Order for the 11.344 acres. No further action was taken. Due to the amount of time since the initial June 6, 2000 request, we request to rescind our initial submittal and proceed with the issuance of an Executive Order under this submittal.

RECOMMENDATION:

That the Board:

1. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject land to the Department of Transportation, Airports Division for airport purposes 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 of 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.
2. Authorize the issuance of an immediate right-of-entry to the DOTA, for the purposes of control and management, subject to the following:
 - A. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time;
 - B. The right-of-entry shall commence upon Board approval and expire upon the issuance of the subject executive order; and


- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully submitted,

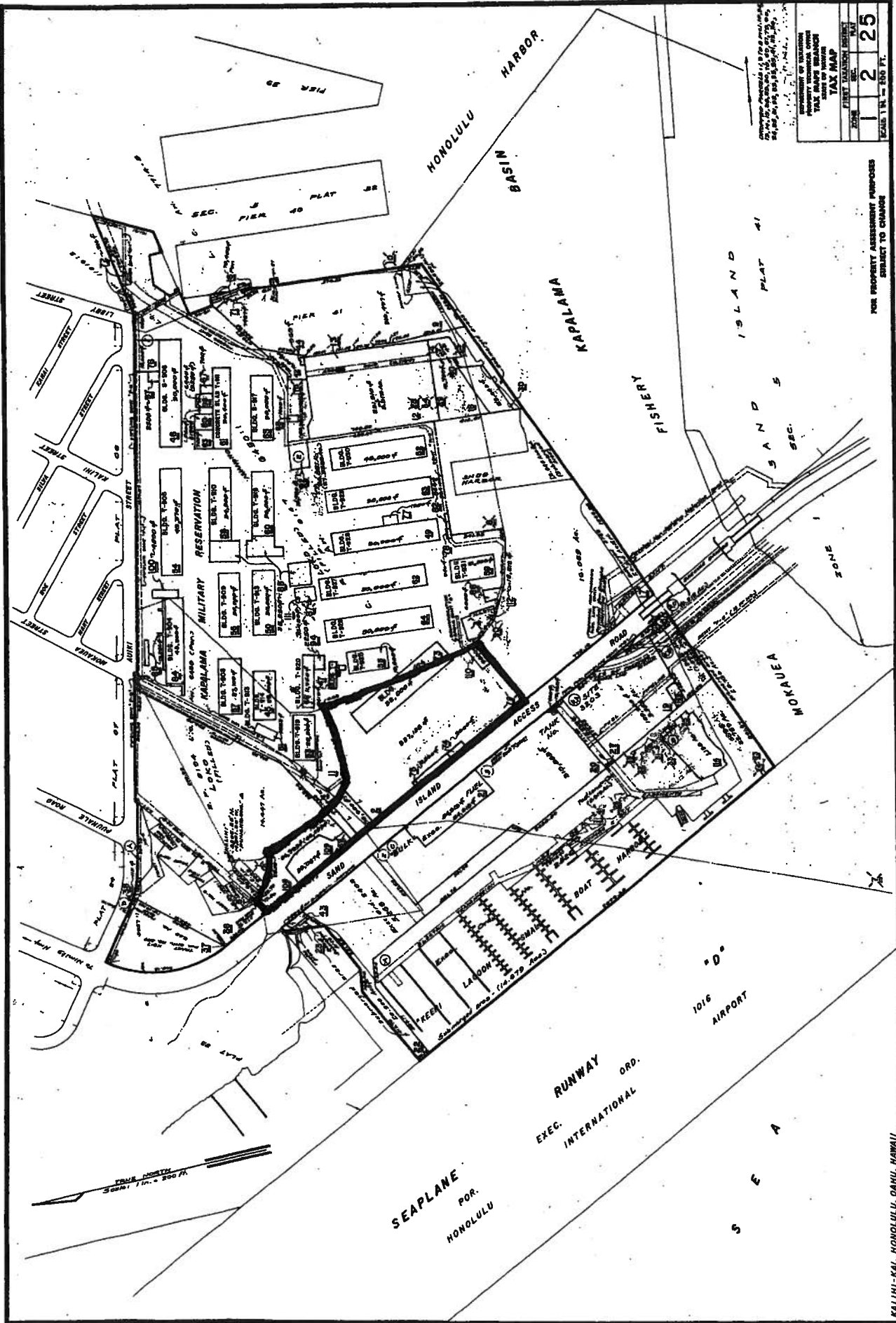


GLENN M. OKIMOTO, Ph.D.
Director of Transportation

APPROVED FOR SUBMITTAL:



WILLIAM J. AFLA, JR.
Chairperson and Member



ZONE	SEC.	BLK.	LOT
1	2	25	

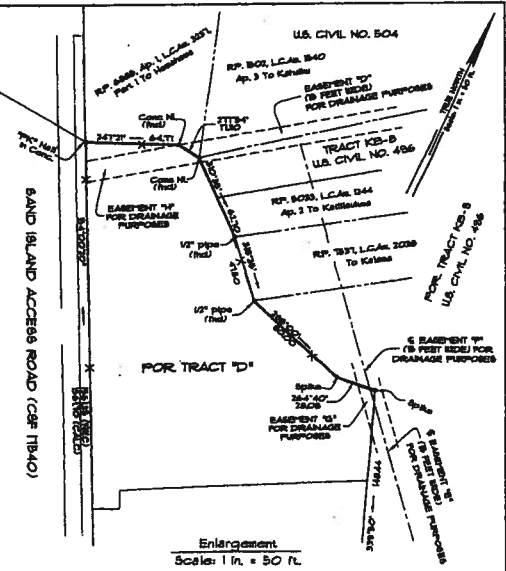
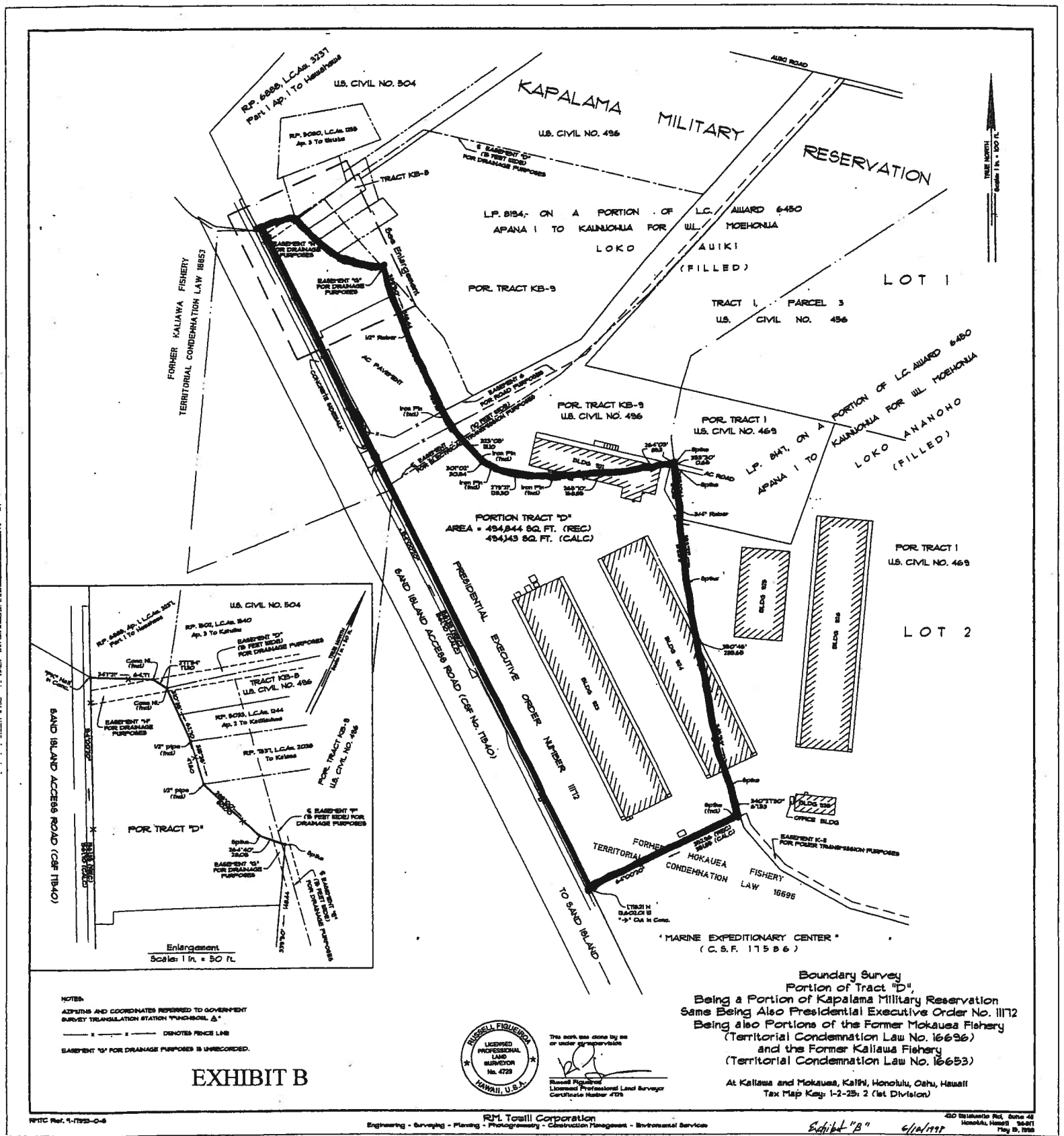
FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

1. 1/25/77
2. 1/25/77
3. 1/25/77
4. 1/25/77
5. 1/25/77
6. 1/25/77
7. 1/25/77
8. 1/25/77
9. 1/25/77
10. 1/25/77

EXHIBIT A

DWG. NO. 100-100-100-100
DATE: 1/25/77
BY: 1/25/77
SCALE: 1 in. = 500 ft.

KALAHI-KAI, HONOLULU, OAHU, HAWAII



NOTES:
 AZIMUTHS AND COORDINATES REFERRED TO GOVERNMENT SURVEY TRIANGULATION STATION 'PUNAHOU, A'.
 --- DENOTES FENCE LINE
 BASEMENT #1 FOR DRAINAGE PURPOSES IS UNRECORDED.

EXHIBIT B



This work was done by me or under my supervision.
 Russell Figueroa
 Licensed Professional Land Surveyor
 Certificate Number 4723

Boundary Survey
 Portion of Tract "D",
 Being a Portion of Kapalama Military Reservation
 Same Being Also Presidential Executive Order No. 11712
 Being also Portions of the Former Mokuauia Fishery
 (Territorial Condemnation Law No. 16696)
 and the Former Kalia Fishery
 (Territorial Condemnation Law No. 16653)
 At Kalia and Mokuauia, KAHUI, Honolulu, Oahu, Hawaii
 Tax Map Key: 1-2-23: 2 (1st Division)