

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

October 28, 2016

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

PSF No.: 16HD-129  
HAWAII

Issuance of Right-of-Entry Permit to Hawaii County Fire Department on  
Unencumbered State Lands, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-  
012:024.

APPLICANT:

Hawaii County Fire Department, a government agency.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waiakea situated at South Hilo, Hawaii identified  
by Tax Map Key: (3) 2-1-012:024, as shown on the attached map labeled Exhibit  
A.

AREA:

60.32 acres, more or less.

ZONING:

State Land Use District: Urban  
County of Hawaii CZO: ML-20

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

CURRENT USE STATUS:

Unencumbered (Executive Order No. 4021: Withdrawal from EO 1519, State of Hawaii Department of Transportation, Airports Division)

CHARACTER OF USE:

For Hawaii County Fire Department's Closed Course Driver Training purposes.

TERM OF RIGHT-OF-ENTRY:

From September 1, 2016 through August 31, 2017

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exhibit B.

DCCA VERIFICATION:

Applicant (County of Hawaii Fire Department) is a government agency and, as such, is not required to register with DCCA.

REMARKS:

For the past three years, the Hawaii Fire Department (HFD) has provided Closed Course Driver Training to Fire Fighter recruits on airport property at the corner of Kekuanaoa Avenue and Leilani Street. They were using the property under a verbal agreement made between HFD and State Department of Transportation, Airport Division. While researching the property for the upcoming 2015-2016 HFD recruit training period, the HFD realized that the property is under the jurisdiction of DLNR Land Division.

Previous to using the subject property area for driver training, HFD was allowed to train and test drivers in the paved area next to the Civil Air Patrol. However, this area has become a favorite spot for other public and private driver training entities and makes it unavailable for planned training purposes that fit HFD's need. Over the past two years, being able to plan and utilize the requested ROE area has allowed HFD to run consistent, scheduled, uninterrupted training for up to 25 recruit trainees.

The purpose of this request is to conduct closed course driver training activities. Entry will be limited to HFD personnel, equipment, apparatus, and personally owned vehicles

while personnel are on site. No vehicle or equipment will be left on site when training is not taking place. HFD shall provide portable toilet facilities during the duration of the Right-Of-Entry permit term. The site will be monitored for safety and maintained in a clean state throughout the training period.

HFD was previously issued a Right-Of-Entry permit from the DLNR for the period of December 15, 2015 through February 15, 2016 for the same purpose mentioned above. Due to the fact that HFD is planning to expand the number training sessions throughout the year with dates still to be determined, and also to prevent the need to request approval from the Board for each training session, staff is recommending the term of their ROE to be one full year.

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 County of Hawaii Fire Department 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 Closed Course Driver Training purposes.

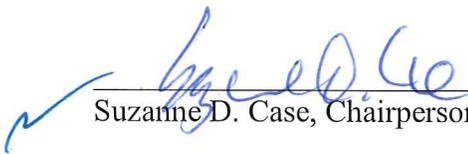
Respectfully Submitted,



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 Dan K. Gushiken  
Land Agent

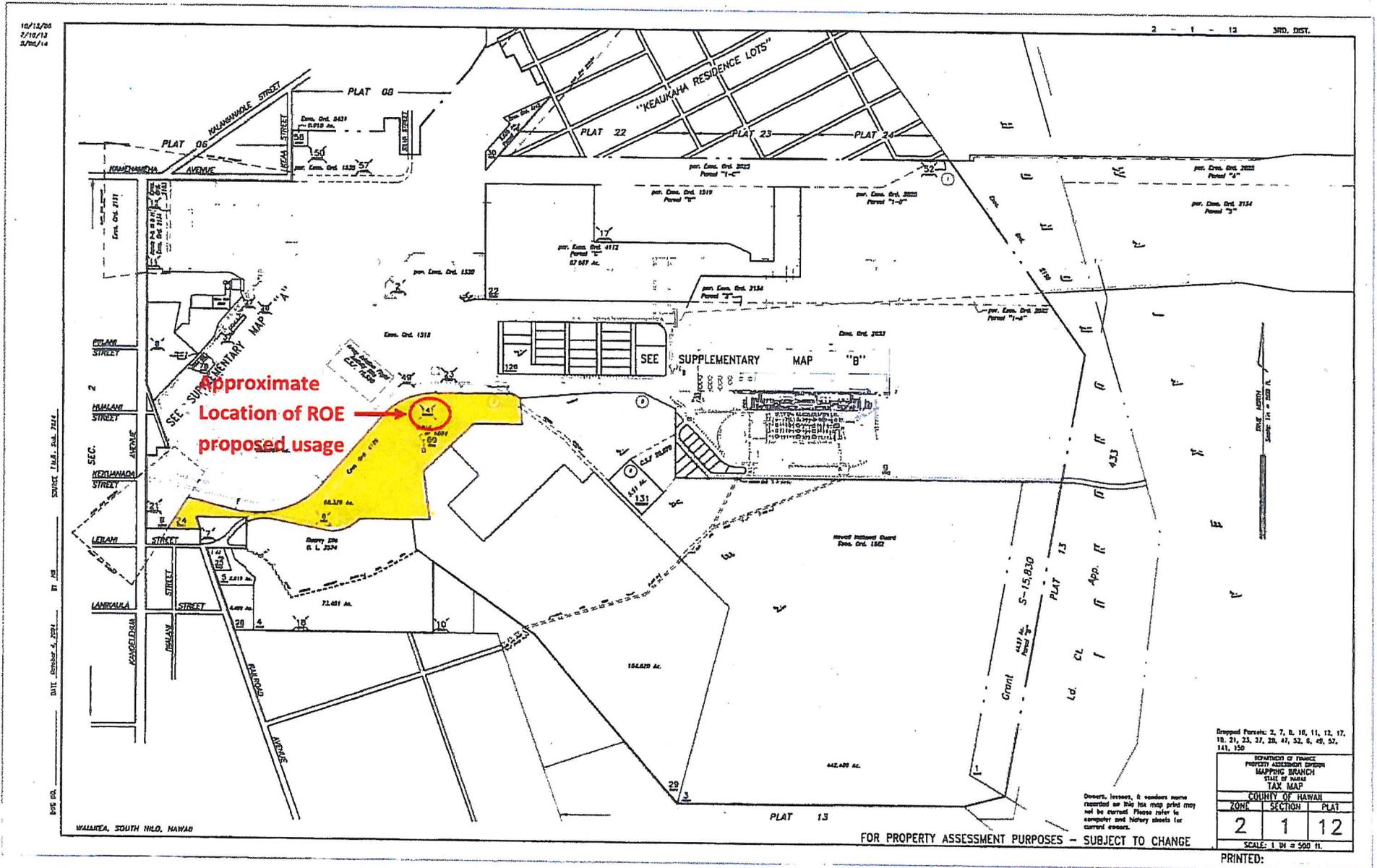
APPROVED FOR SUBMITTAL:



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Suzanne D. Case, Chairperson

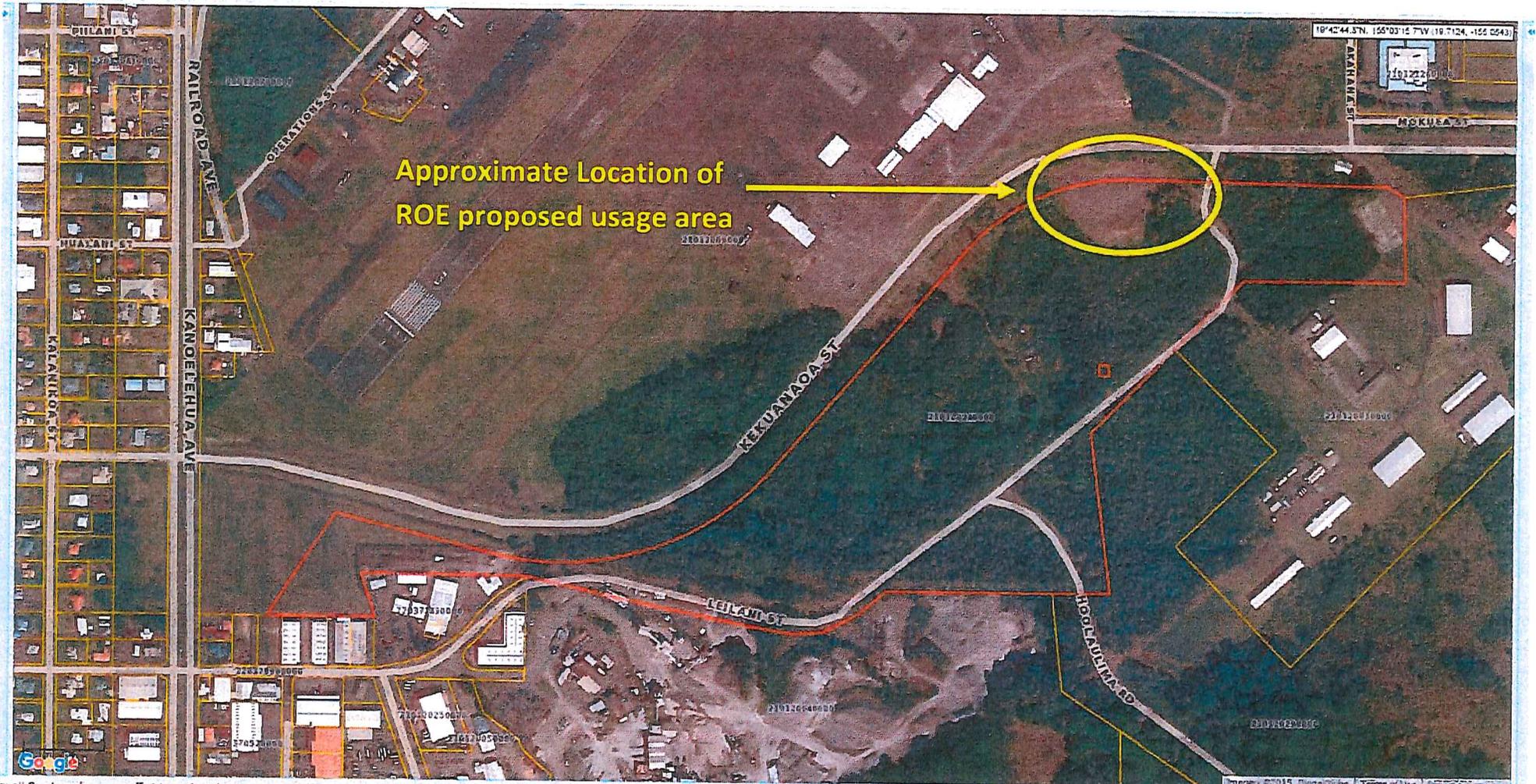
# EXHIBIT A



# EXHIBIT A

ROE Request  
County of Hawaii Fire Department  
TMK: (3) 2-1-012:024

PSF: 15HD-153



Hawaii 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. The parcels layer intended to be used for visual purposes only and should not be used for boundary interpretations or other spatial analysis beyond the limitations of the data. The parcels data layer does not contain metes and bounds described accuracy therefore, please use caution when viewing this data. Overlaying this layer with other layers that may not have used this layer as a base may not produce precise results. GPS and Imagery data will not overlay exactly.

EXHIBIT A

DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

KEKO A KALUHIWA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

From the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR

**Project Title:** Issuance of Right-Of-Entry Permit to County of Hawaii Fire Department

**Project Number:** PSF No. 16HD-129

**Project Location:** Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-012: 024

**Project Description:** Right-Of-Entry Permit for County of Hawaii Fire Department (HFD) Driver Training Course

**Consulted Parties:** None

**Exemption Class No.:** In accordance with the "Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council (approved on June 5, 2015), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.10, "Continuing administrative activities including, but not limited to, purchase of supplies and personnel-related actions [HAR § 11-200-8(a)(10)]."

**Exemption Item No. And Description:** Item No.5: "Training, environmental interpretation, public safety efforts and other educational activities."

This exemption is appropriate because the permittee, HFD has requested the use of a small area for a Driver Training Course. The location has been used for such training in recent years without significant impact on the environment.

The grant of a Right-Of-Entry permit for the limited purpose will result in no material change or significant cumulative impact. If

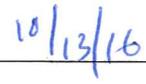
**Exhibit B**

further actions are taken that result in a material change, HFD will be required to be in compliance with Chapter 343.

**Recommendation:**

It is recommended that the Board find that the issuance of a Right-Of-Entry permit to HFD will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

  
\_\_\_\_\_  
Suzanne D. Case, Chairperson

  
\_\_\_\_\_  
Date

**William P. Kenoi**  
Mayor



**Darren J. Rosario**  
Fire Chief

**Renwick J. Victorino**  
Deputy Fire Chief

**County of Hawai'i**  
**HAWAII FIRE DEPARTMENT**  
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720  
(808) 932-2900 • Fax (808) 932-2928

August 11, 2016

Mr. Gordon C. Heit, District Land Agent  
State of Hawai'i  
Department of Land and Natural Resources  
75 Aupuni Street, Room 204  
Hilo, Hawai'i 96720

Dear Mr. Heit:

The Hawai'i Fire Department is respectfully requesting to re-establish Right-of-Entry to a piece of property controlled by the Department of Land & Natural Resources (DLNR).

BACKGROUND:

For the period of December 15, 2015 through February 15, 2016, the Hawai'i Fire Department was granted a Right-of-Entry Permit by the State of Hawai'i, Department of Land and Natural Resources, to provide Closed Course Driver Training to Fire Fighter Recruits on property located at the corner of Kekūanāo'a Avenue and Leilani Street.

For convenience, I have attached the previously approved Right-of-Entry Permit.

CONTINUED NEED:

Driver Training for Fire Department personnel is a continuous training event that takes place throughout the year. Having access to an area large enough to set up the closed course for our personnel to practice low speed driving skills is an ongoing challenge. The area detailed in this request has proven to be a safe and effective site to run consistent, scheduled, uninterrupted driver training.



Mr. Gordon C. Heit  
August 12, 2016  
Page 2

REQUEST:

The Hawai'i Fire Department is requesting to re-establish a Right-of-Entry Agreement with the Department of Land & Natural Resources for the period of up to one (1) year or approximately September 1, 2016 through August 31, 2017. The purpose of this request is to hold closed course driver training activities. Entry will be limited to Hawai'i Fire Department personnel, Hawai'i Fire Department equipment and apparatus, and personally owned vehicles while personnel are on site. No vehicles or equipment will be left on site when training is not taking place. When necessary, the Hawai'i Fire Department shall provide portable toilet facilities during the duration of the Right-of-Entry Agreement. During training activities, the site will be monitored for safety and maintained in a clean state.

SUMMARY:

The Hawai'i Fire Department is humbled by the opportunity to partner with the Department of Land and Natural Resources.

Point of contact in regards to the Hawai'i Fire Department's request is Assistant Fire Chief of Support Services Glen Honda. He can be reached by email at [Glen.Honda@hawaiicounty.gov](mailto:Glen.Honda@hawaiicounty.gov), or by phone at (808) 932-2907 office

Please feel free to contact me or Chief Honda if you need further information or have any questions.

Respectfully,



DARREN J. ROSARIO  
Fire Chief

attachment