

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

November 10, 2016

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

PSF No.: 14OD-057

OAHU

Amend Prior Board Action of April 11, 2014, Item D-10; Issuance of Construction Right-of-Entry Permit to Department of Transportation for Highway Improvements Purposes, Waimanalo, Koolaupoko, Oahu, TMKs (1) 4-1-013: portions of 022 and 032, and (1) 4-1-018: portion of 052.

The Amendment is to include another State Parcel, TMK (1) 4-1-013:portion of 012, into the Right-of-Entry Area.

BACKGROUND:

At its meeting on April 11, 2014, under agenda item D-10, the Board authorized the issuance of a 6-month construction right-of-entry permit to the Department of Transportation, Highways Division (DOT) over Parcels 22, 32, and 52 as noted above. Pursuant to the Board's delegated authority at its April 2014 meeting, the Chairperson extended the right-of-entry up to June 2017. A copy of the 2014 approved submittal is attached as **Exhibit 1** for reference.

Recently, DOT requested the right-of-entry area be expanded to include (1) 4-1-013:portion of 012, which is now encumbered by Revocable Permit No. 7517 issued to Olomana Golf Links, Inc. for golf course nursery operations purposes. A map showing the requested additional area is attached as **Exhibit 2**¹, and will be used as staging and stock piling areas. No excavation or trenching will be conducted on this area, and such area will also be restored to its original condition upon completion of the project. The permittee's written concurrence to the request has been filed.

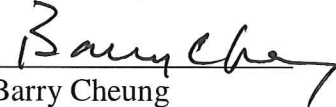
There are no other pertinent issues or concerns. Staff recommends the Board amend its prior action by including the additional area at Parcel 12 into the requested right-of-entry area.

¹ Additional area also shown on map labelled as Exhibit A-1 on the 2014 submittal attached herein as Exhibit 1.

RECOMMENDATION: That the Board

1. Amend its prior action of April 11, 2014, under agenda item D-10 by including TMK (1) 4-1-013:portion of 012 as described above in the requested right-of-entry permit area; and
2. All other terms and conditions of the April 11, 2014 approval shall remain in full force and effect.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson

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

April 11, 2014

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

PSF No.: 14OD-057

OAHU

Issuance of Construction Right-of-Entry Permit to Department of Transportation For Highway Improvements Purposes, Waimanalo, Koolaupoko, Oahu, Tax Map Keys: (1) 4-1-013: portions of 022 and 032, and Tax Map Key: (1) 4-1-018: portion of 052.

APPLICANT:

Department of Transportation-Highways Division.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waimanalo, Koolaupoko, Oahu, identified by Tax Map Keys: (1) 4-1-013:portions of 022 and 032 and Tax Map Key: (1) 4-1-018: portion of 052, as shown on the attached maps labeled Exhibit A-1 and A-2.

AREA:

TMK: (1) 4-1-013:022	0.055 acre, more or less
TMK: (1) 4-1-013:032	0.004 acre, more or less
TMK: (1) 4-1-018:052	0.017 acre and 0.081 acre, more or less

ZONING:

TMK: (1) 4-1-013:022 (Portion)
State Land Use District: Urban
City & County of Honolulu LUO AG-2

TMK: (1) 4-1-013:032 (Portion)
State Land Use District: Urban
City & County of Honolulu LUO AG-2

EXHIBIT " / "

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

April 11, 2014 Go.

D-10

TMK: (1) 4-1-018:052 (Portion)
State Land Use District: Urban
City & County of Honolulu LUO Country

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:

TMK: (1) 4-1-013:022 (Portion)
Encumbered by Revocable Permit No. S-7605, Hawaiian Electric Company, Permittee, for utility purposes. Permit is month- to- month basis.

Encumbered by Revocable Permit No. S-7469, Cheryl McConnell, Permittee, for pasture and horse stabling purposes. Permit is month- to- month basis.

TMK: (1) 4-1-013:032 (Portion)
Encumbered by General Lease No. S-5620, Heine and Gladys Aruda, Lessees, for pasture and equestrian purposes. Lease to expire on June 29, 2036.

TMK: (1) 4-1-018:052 (Portion)
Encumbered by General Lease No. S-5493, Gavin and Janice Yamada, Lessees, for diversified agriculture purposes. Lease to expire on June 14, 2031.

CHARACTER OF USE:

Kalaniana'ole Highway Improvements, Phase I, Federal Aid Project No. NH-072-1(53).

TERM OF RIGHT-OF-ENTRY:

Six (6) months commencing from August 2014. (Construction funding appropriation is to be requested for state fiscal year 2014.)

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The Final Environmental Assessment for the subject project was published in the OEQC's Environmental Notice on April 8, 2007, with a finding of no significant impact (FONSI). The Record of Decision was approved by the Federal Highway Administration on February 23, 2007.

DCCA VERIFICATION:

Not applicable. Applicant is a government agency.

APPLICANT REQUIREMENTS:

None

REMARKS:

The State of Hawaii, Department of Transportation (DOT), Highways Division, proposes improvements on Kalaniana'ole Highway (Federal Aid Project No. NH-072-1(53), situated at Waimanalo, Koolau'poko, Oahu, involving Tax Map Keys: (1) 4-1-013: portion of parcel 22 consisting of .055 acre, portion of parcel 32 consisting of 0.004 acre and Tax Map Key: (1) 4-1-018: portion of parcel 52 consisting of 0.017 acre and 0.081 acre.

The project includes road widening to provide a two-way left turn lane, left turn pockets, paved shoulders, sidewalks and an equestrian path. Other improvements involved with this project include electrical relocation, safety, and drainage improvements to Kalaniana'ole Highway. According to DOT, none of the proposed improvement works will result in any taking of the lands under lease /permit mentioned above.

By letter dated February 20, 2014, DOT Highways Division is requesting a temporary construction right-of-way permit for this project, which will take approximately six (6) months from the projected construction date in August 2014 in connection with the construction of the proposed highway project (Federal Aid Project No. NH-072-1-(53)) mentioned above.

No government agency or community comments were solicited, as there will be no new land disposition or change in land use. Comments from various government agencies were mentioned in the Final Environmental Assessment for the subject project which was published in OEQC's Environmental Notice on April 8, 2007.

DOT's Project Manager has sent out letters to the tenants of the above subject properties to inform them of the above work which would take place within their leased properties during the month of August 2014, of which there were no objections.

This right-of-entry will be gratis as this is a government-sponsored project. Staff request that the Chairperson be authorized to issue term extensions of the subject right-of-entry, should the need arise.

RECOMMENDATION: That the Board

1. Authorize the issuance of a right-of-entry permit to the Department of Transportation-Highways Division, 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 term extension of the subject right-of-entry, should the need arise.

Respectfully Submitted,



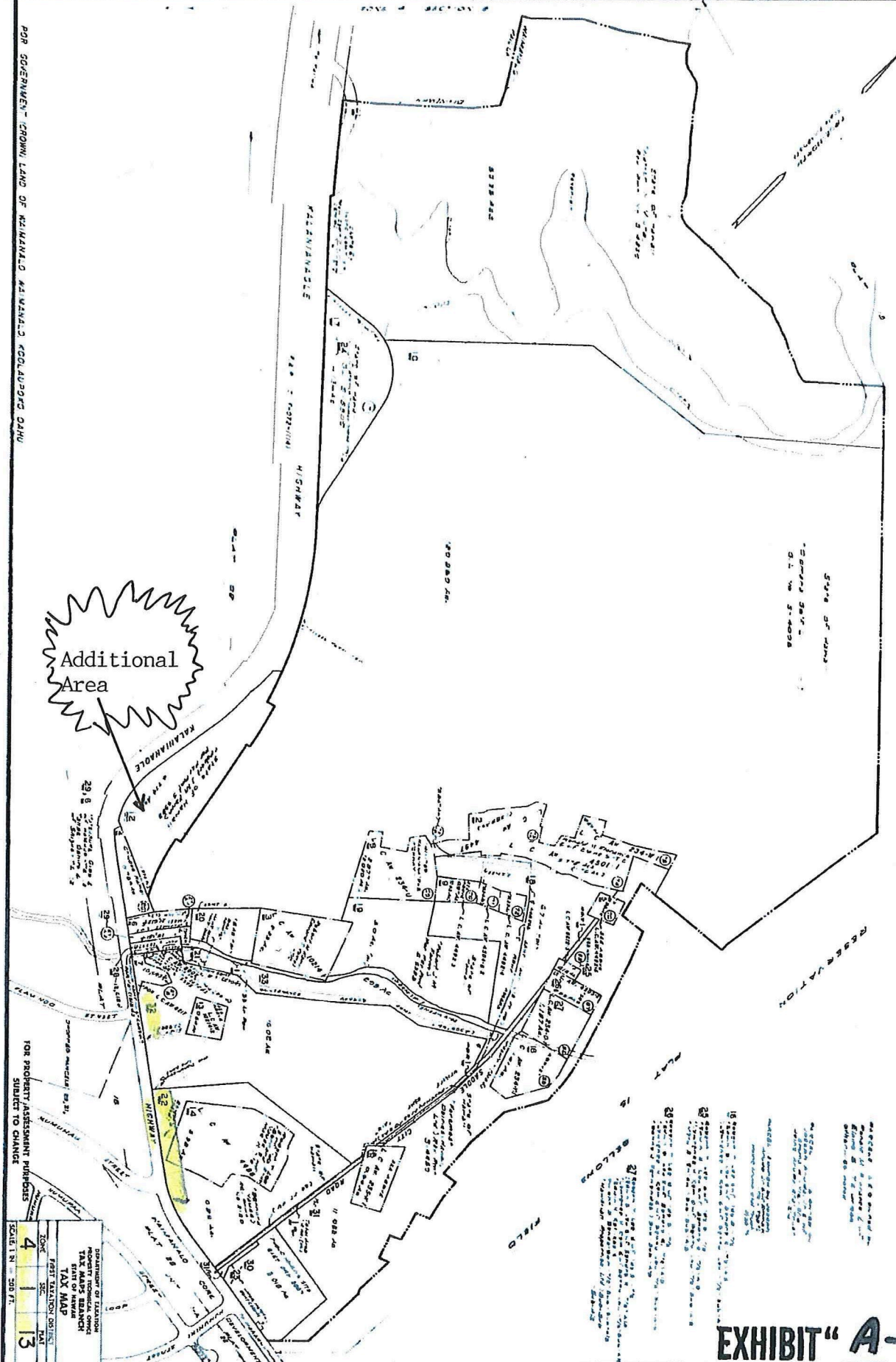
Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



William J. Alla, Jr., Chairperson

FOR GOVERNMENT - CROWN LAND OF HAWAII, KAWAIA, KOLAUPAPA, OAHU



Additional Area

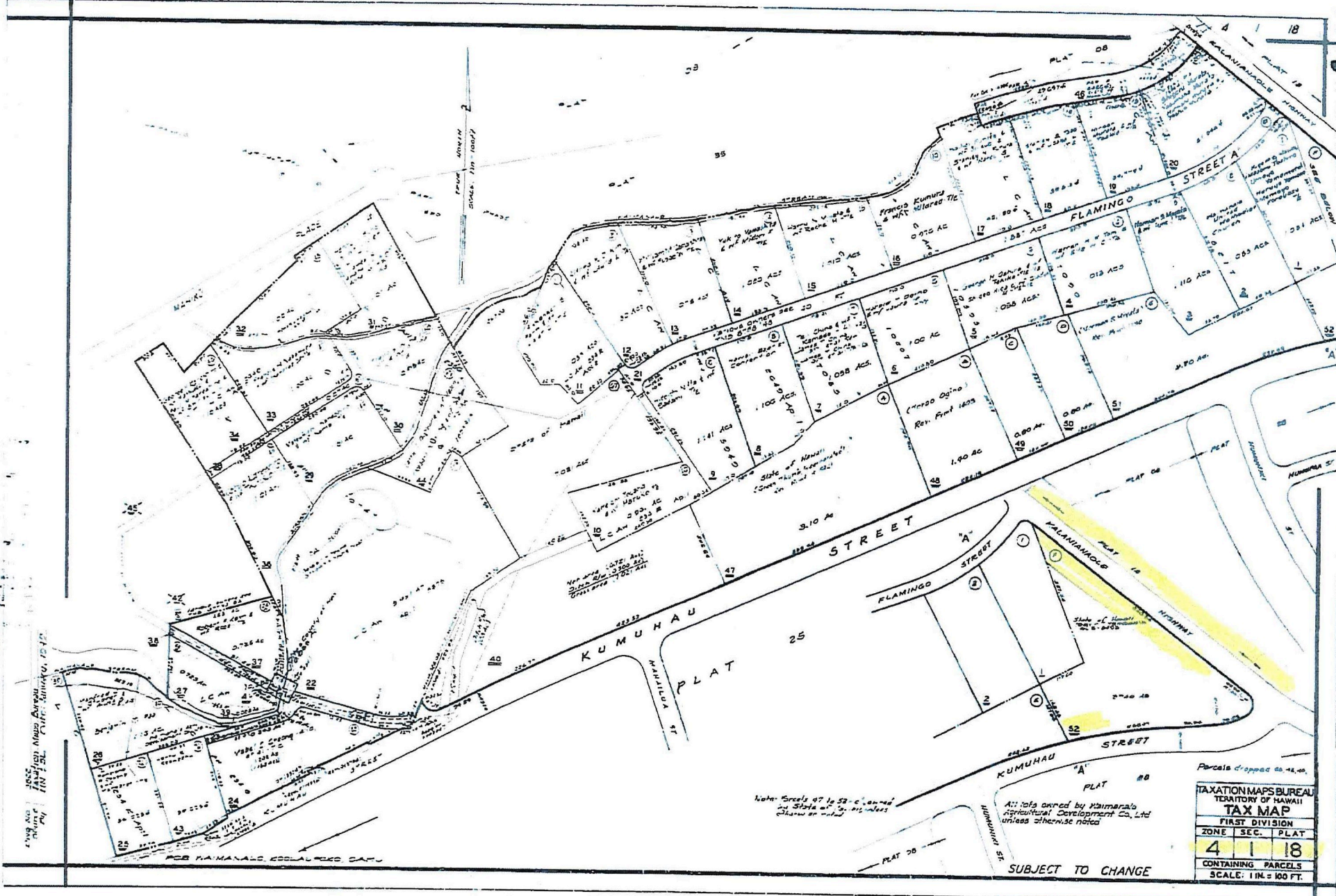
FOR PROPERTY ADJUSTMENT PURPOSES SUBJECT TO CHANGE

DEPARTMENT OF LAND AND NATURAL RESOURCES PROPERTY TAXATION DIVISION TAX MAP SEARCH TAX MAP			
ZONE	SEC.	BLK.	PAR.
4	1	13	

SCALE 1" = 500 FT.

16. Section 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

EXHIBIT "A-1"



Note: Streets 27 to 32 shown by State on 12-31-1945

All lots owned by Kaimama's Agricultural Development Co., Ltd. unless otherwise noted.

TAXATION MAPS BUREAU
 TERRITORY OF HAWAII
TAX MAP
 FIRST DIVISION

ZONE	SEC.	PLAT
4	1	18

CONTAINING PARCELS
 SCALE: 1 IN. = 100 FT.

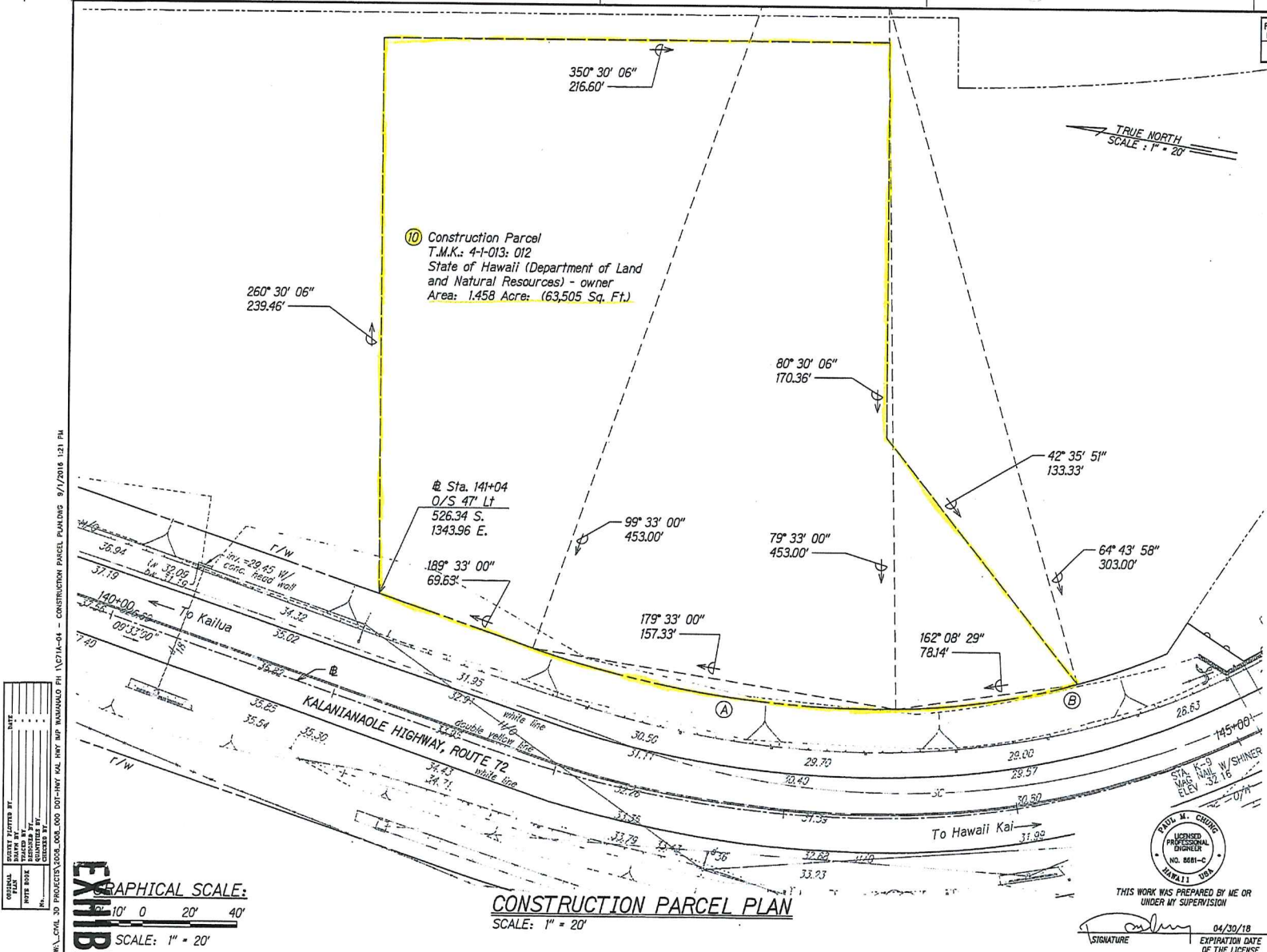
SUBJECT TO CHANGE

FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
HAWAII	HAW.	NH-072-1(53)	2015	C.O. 110S-1	117

CURVE	(A)	(B)
Δ	20°00'00"	22°32'29"
Δ/2	10°00'00.0"	11°16'14.7"
R	453.00'	303.00'
Tan.	79.88'	60.38'
C	157.33'	118.44'
Lc	158.13'	119.21'

TRUE NORTH
SCALE: 1" = 20'

⑩ Construction Parcel
T.M.K.: 4-1-013: 012
State of Hawaii (Department of Land and Natural Resources) - owner
Area: 1,458 Acre. (63,505 Sq. Ft.)



GRAPHICAL SCALE:
1" = 20'
SCALE: 1" = 20'

CONSTRUCTION PARCEL PLAN
SCALE: 1" = 20'



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION

SIGNATURE: [Signature]
EXPIRATION DATE OF THE LICENSE: 04/30/18
Date: Sept, 2016

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
CONSTRUCTION PARCEL PLAN
KALANIANA'OLE HIGHWAY IMPROVEMENTS, PHASE 1
Olomana Golf Course To Vicinity of Poalima St.
Federal Aid Project No. NH-072-1(53)
Scale: AS NOTED Date: Sept, 2016
SHEET No. 071A OF 71A SHEETS
C.O. 110S-1

DATE	BY

PROJECT: KALANIANA'OLE HIGHWAY IMPROVEMENTS PHASE 1, CONTRACT NO. 2010-001, DRAWING NO. 2010-001-001, DATE: 09/17/2016, 1:21 PM

EXHIBIT " 2 "