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

December 8, 2017

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

PSF No.: 17HD-062

Hawaii

Set Aside of State Land to County of Hawaii for Public Park Purposes, Kaiwiki  
Homesteads, Kaiwiki, South Hilo, Hawaii, Tax Map Key: (3) 2-6-010:016.

APPLICANT:

County of Hawaii, a governmental entity

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kaiwiki Homesteads situated at Kaiwiki, South Hilo,  
Hawaii, identified by Tax Map Key: (3) 2-6-010:016, as shown on the attached map  
labeled Exhibit A.

AREA:

5 acres, more or less.

ZONING:

State Land Use District:	Agricultural
County of Hawaii CZO:	A-10a (Agricultural 10 acre min.)

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:

Unencumbered land being maintained as a park by the County of Hawaii.

PURPOSE:

Public park purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

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 June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class 1, Item No. 43. Refer to attached Exhibit B.

REMARKS:

The subject parcel was originally acquired by the Territory of Hawaii through a land exchange with Hilo Sugar Company in 1930.

The parcel was set aside in 1931 by Governor's Executive Order No. 486 (EO486) to the Department of Public Instruction for the Kaiwiki school site and subject to the right of the Board of Supervisors of the County of Hawaii to create and maintain a portion of the parcel as a public park/school playground. At the time, the County was responsible for maintaining all school grounds.

In 1965, it was determined that the property would not be utilized as a school site and Governor's Executive Order No. 2225 was issued cancelling EO486. No provision was made regarding a public park. The County continued to maintain and manage the property as a public park.

In March of 1999, Land Division staff sent a letter to the County asking if they still wanted the property. No response was received.

In early 2017, it came to the attention of the Hawaii District Land Office (HDLO) that the County-maintained public park, known as Kaiwiki Park, was actually unencumbered State land. Staff contacted County Parks & Recreation Department to determine if they wanted the property set aside to them.

HDLO has subsequently received a request from the County of Hawaii to set aside the subject parcel as a park. The property has been a public park for many years and is

utilized by the surrounding community.

Staff solicited comments from various agencies, the results of which are summarized in the table below:

State Agencies	Response
DOA	No Response
Dept. of Hawaiian Homes Land	No Response
DLNR - State Parks	No Response
Hawaii County Agencies	Response
Planning Dept.	No Comments
Parks & Recreation	No Objections
Dept. of Public Works	No Objections/Comments
Other Agencies	Response
Office of Hawaiian Affairs	No Response

Since there were no objections from the other agencies consulted and because the subject property has been in use as a public park since at least 1965, staff recommends the set aside to the County of Hawaii as a public park.

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 Hawaii 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.

Respectfully Submitted,

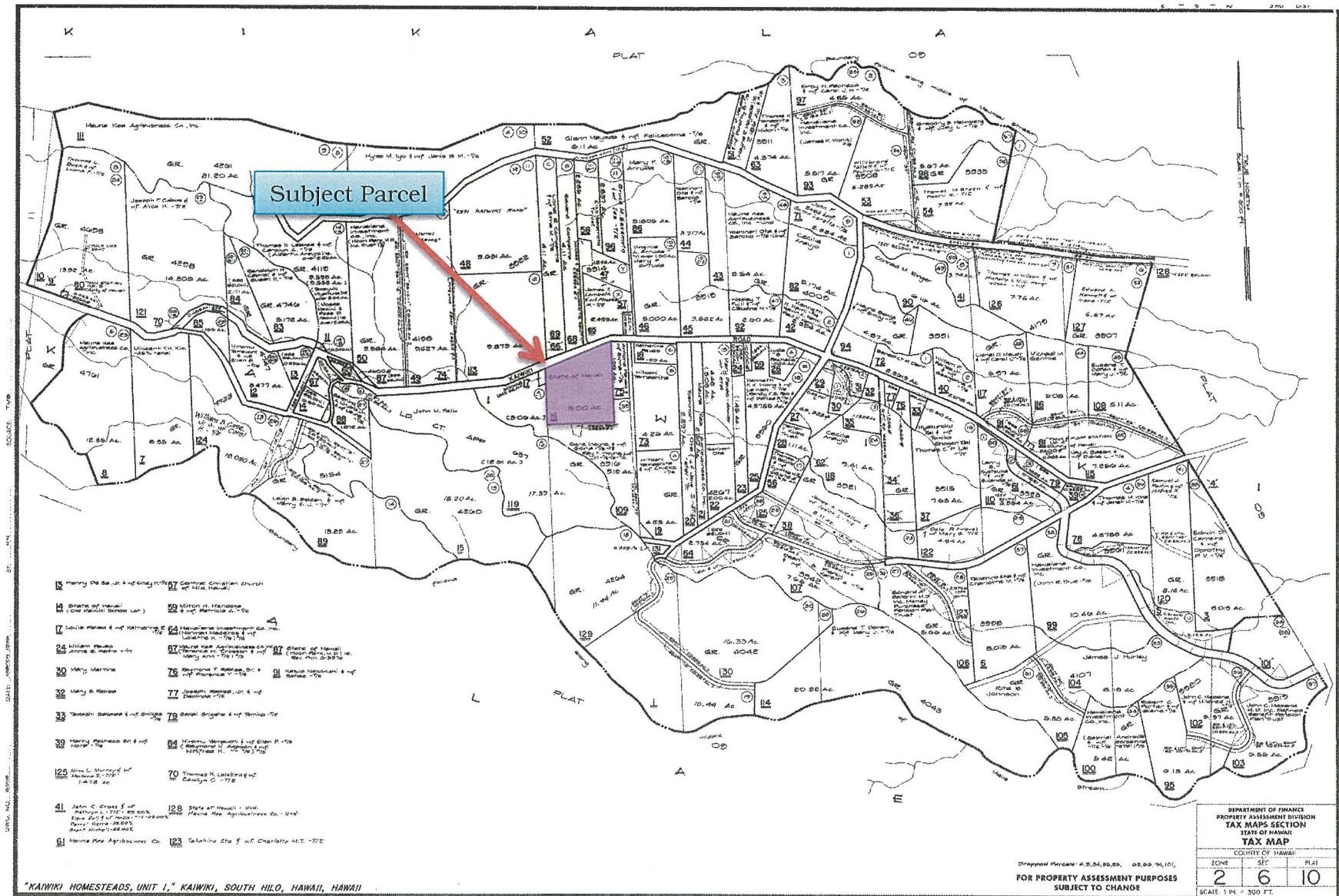
  
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Candace M. Martin  
Land Agent

APPROVED FOR SUBMITTAL:

  
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Suzanne D. Case, Chairperson



# EXHIBIT A



DAVID Y. IGE  
GOVERNOR OF HAWAII



## EXHIBIT B

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

ROBERT K. MASUDA  
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

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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 27, 2017

#### EXEMPTION NOTIFICATION

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

Project Title: Set Aside to the County of Hawaii for Park Purposes.

Project / Reference No.: PSF 17HD-062

Project Location: Kaiwiki Homesteads, Kaiwiki, South Hilo, Hawaii;  
TMK: (3) 2-6-010:016.

Project Description: Transfer of management and control of the subject parcel to the County of Hawaii for the purpose of continued operation of a public park on the subject lands.

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

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 43, "Transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order."

Consulted Parties: State of Hawaii:  
DOA, DHHL, DLNR – State Parks  
County of Hawaii:  
Planning Dept., Parks & Recreation, Public Works  
Other Agencies:  
Office of Hawaiian Affairs

Recommendation: That the Board find 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.