

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

March 9, 2018

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

PSF No.: 17MD-160

Maui

Issuance of Right-of-Entry Permit to Department of Hawaiian Home Lands for  
Purposes of Conducting Archaeological Reconnaissance, Flora and Fauna  
Surveys, and Cadastral Survey for a Proposed Potable Well Site and Water  
Transmission Line, on Government Lands Situated in Honokowai, Lahaina, Maui,  
Tax Map Key: (2) 4-4-004:002.

APPLICANT:

The Department of Hawaiian Home lands, a State government agency.

LEGAL REFERENCE:

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

LOCATION:

Government lands situated at Honokowai, Lahaina, Maui, identified by Tax Map Key:  
(2) 4-4-004:002, as shown on the attached map labeled Exhibit A.

AREA:

221.745 acres, more or less; TMK (2) 4-4-004:002

ZONING:

|                          |             |
|--------------------------|-------------|
| State Land Use District: | Agriculture |
| County of Maui CZO:      | Agriculture |

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

TERM OF RIGHT-OF-ENTRY:

One (1) year, commencement date as soon as practicable.

CONSIDERATION:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 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 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" and Item No. 51, that states "Permits, Licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing," and Exemption Class No. 5, that states "Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resources, and Item Nos. 1 – 3 that state, "1. Conduct survey or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.); 2. Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping; 3. Conduct topographic, sounding, wave, littoral transport, bathymetric, and location surveys." See Exemption Notification attached as Exhibit B.

DCCA VERIFICATION:

Applicant is a government agency and as such is not required to register with the DCCA.

APPLICANT REQUIREMENTS:

None

REMARKS:

The Department of Hawaiian Home Lands (DHHL) is requesting a right-of-entry on and through State lands for the purposes of conducting archaeological reconnaissance, flora and fauna surveys, and cadastral survey for a proposed potable well site and water transmission line. A map and satellite image showing the water master plan for the DHHL Honokowai Water System including the preferred transmission route and proposed well site is attached as Exhibit C.

DHHL has contracted with Austin, Tsutsumi & Associates, Inc. as their prime engineering consultant to prepare an Environmental Assessment and engineering plans and specifications for the development of a potable well and transmission system located on State land. Munekiyo Hiraga and its sub-consultants will be conducting the archaeological and biological surveys for the Environmental Assessment preparation.

In the near future, DHHL would like to discuss a long-term disposition for the well site.

A draft of this submittal was disseminated to the agencies listed below, with the results indicated:

| Agency                                | Comment  |
|---------------------------------------|--|
| DHHL                                  | No response by suspense date.  |
| DLNR – Forestry & Wildlife            | No response by suspense date.  |
| DLNR – Conservation and Coastal Lands | No response by suspense date.  |
| DLNR – Water Resource Management      | A Pump Installation Permit is required before ground water is developed as a source of supply for the project. |
| County of Maui – Dept of Water Supply | See Exhibit D.   |
| Office of Hawaiian Affairs            | No response by suspense date.  |

The above agencies were sent the submittal, which included the MDLO's request for an exemption from an environmental assessment, and MDLO did not receive any objections.

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 to the Department of Hawaiian Home Lands covering the subject area under the terms and conditions cited

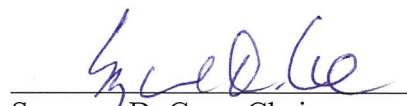
above, which are by this reference incorporated herein and further subject to the following:

- 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; and
- C. Authorize the Chairperson to extend the right-of-entry for good cause up to one additional year.

Respectfully Submitted,

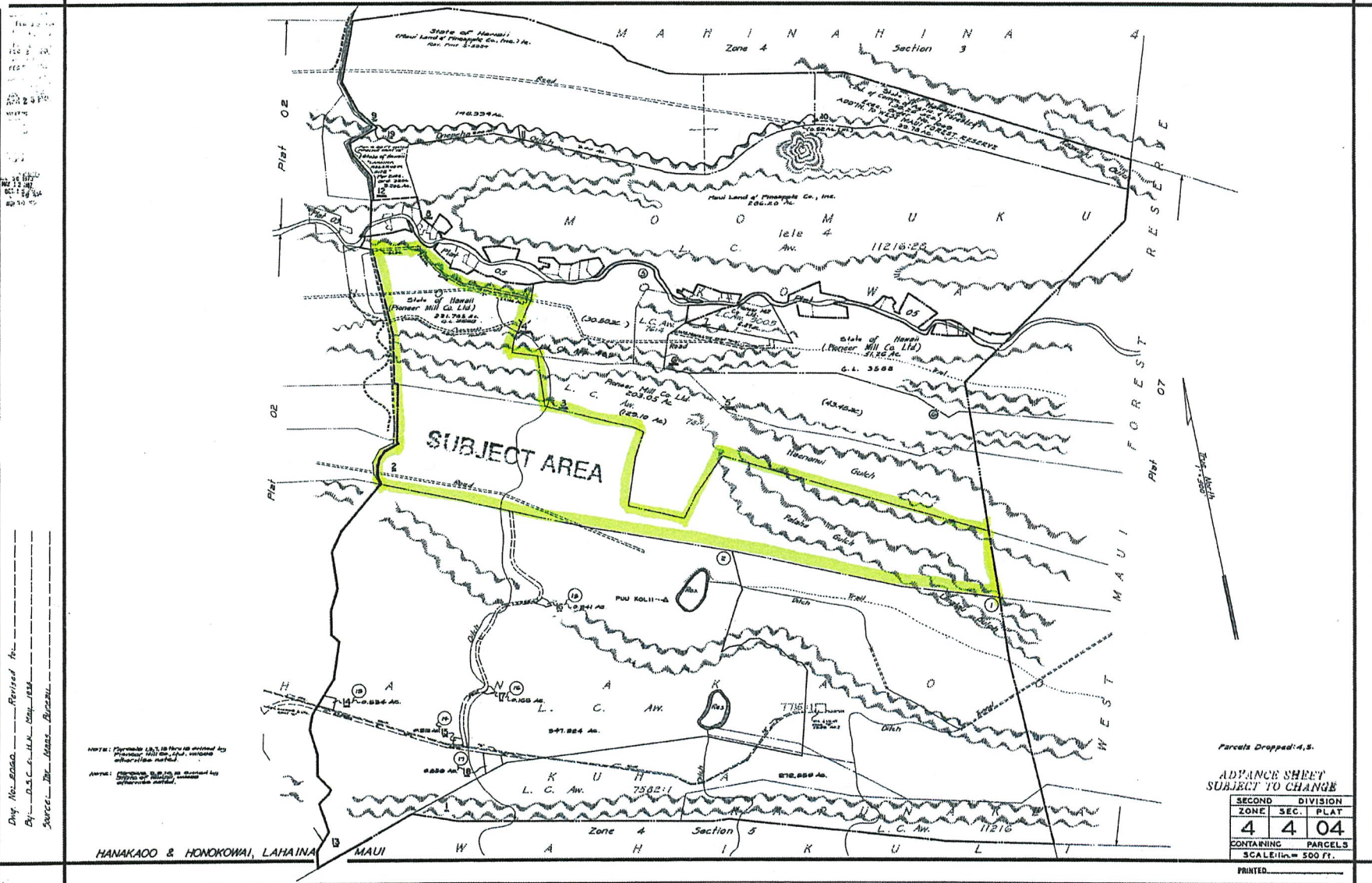
  
\_\_\_\_\_  
Seiko Machida  
Land Agent

APPROVED FOR SUBMITTAL:

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



# EXHIBIT A



## **EXEMPTION NOTIFICATION**

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

Project Title: Issuance of Right-of-Entry Permit to Department of Hawaiian Home Lands, for Purposes of Conducting Archaeological Reconnaissance, Flora and Fauna Surveys, and Cadastral Survey for a Proposed Potable Well Site and Water Transmission Line.

Project / Reference No.: PSF 17MD-160

Project Location: Government lands situated at Honokowai, Lahaina, Maui, identified by Tax Map Key: (2) 4-4-004:002, as shown on the attached map labeled Exhibit A.

Project Description: DHHL has contracted with Austin, Tsutsumi & Associates, Inc., as their prime engineering consultant, to prepare an Environmental Assessment and engineering plans and specifications for the development of a potable well and transmission system located on State land. Munekiyo Hiraga and its sub-consultant will be conducting the archaeological and biological surveys for the Environmental Assessment preparation.

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 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 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" and Item No. 51, that states "Permits, Licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing," and Exemption Class No. 5, that states "Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resources, and Item Nos. 1 – 3 that state, "1. Conduct survey or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc.); 2. Non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping; 3. Conduct topographic, sounding, wave, littoral transport, bathymetric, and location surveys."

The applicant, DHHL, has hired an engineering consulting firm to prepare an environmental assessment and engineering plans for the

**EXHIBIT B**

development of a potable well and transmission system located on State land. They will be conducting archaeological and biological surveys for the environmental assessment preparation. This initial phase of the project, which involves surveys and studies, should have no significant impact on the environment, and will enable DHHL to do an environmental assessment for the future water project.

Consulted Parties:

| Agency                                | Comment  |
|---------------------------------------|--|
| DHHL                                  | No response by suspense date.  |
| DLNR – Forestry & Wildlife            | No response by suspense date.  |
| DLNR – Conservation and Coastal Lands | No response by suspense date.  |
| DLNR – Water Resource Management      | A Pump Installation Permit is required before ground water is developed as a source of supply for the project. |
| County of Maui – Dept of Water Supply | See Exhibit D.   |
| Office of Hawaiian Affairs            | No response by suspense date.  |

The above agencies were consulted on the project and staff's proposed exemption from an environmental assessment, and no objections were received.

Recommendation:

That the Board find this project to have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



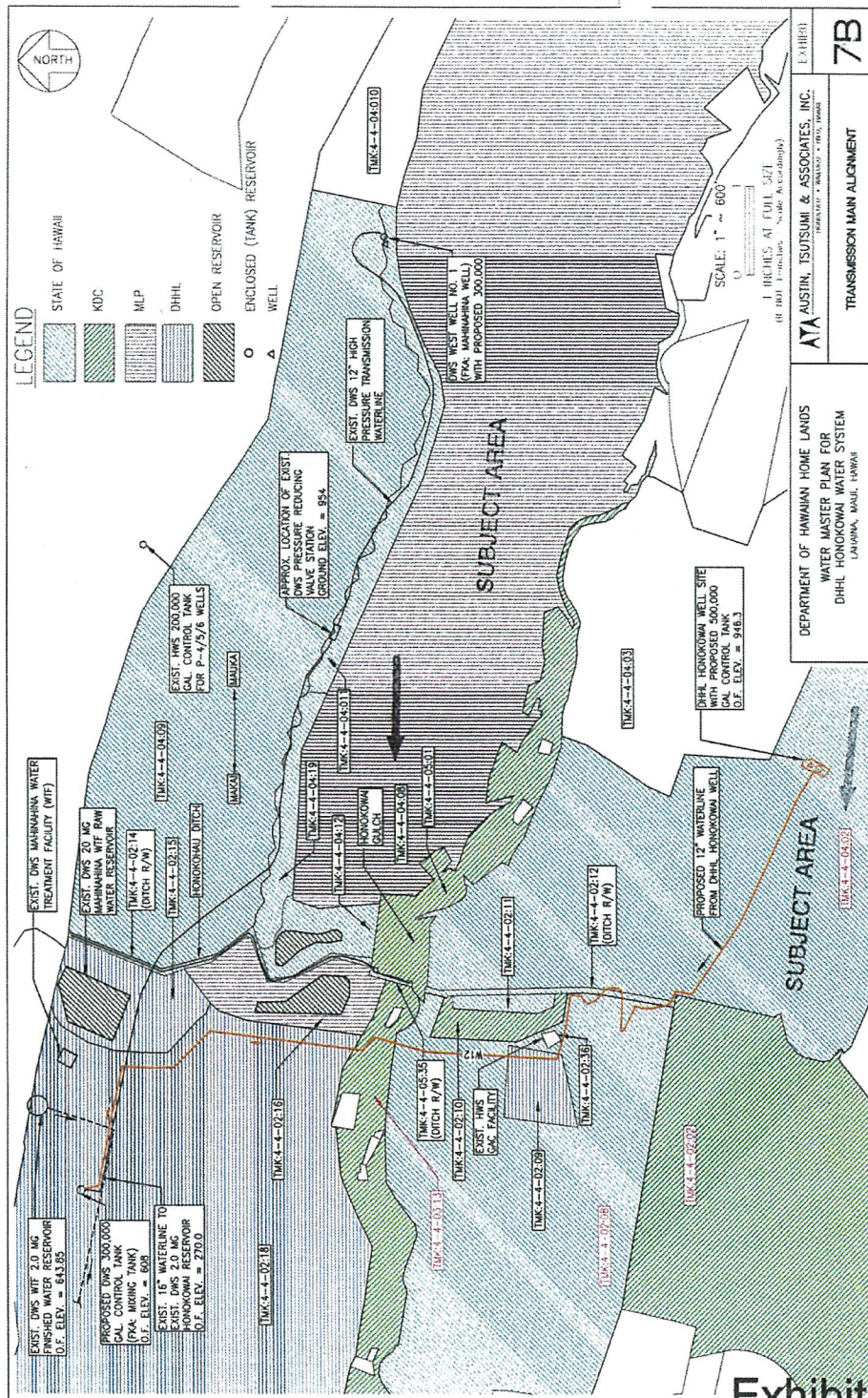


Exhibit C

pg 1 of 2



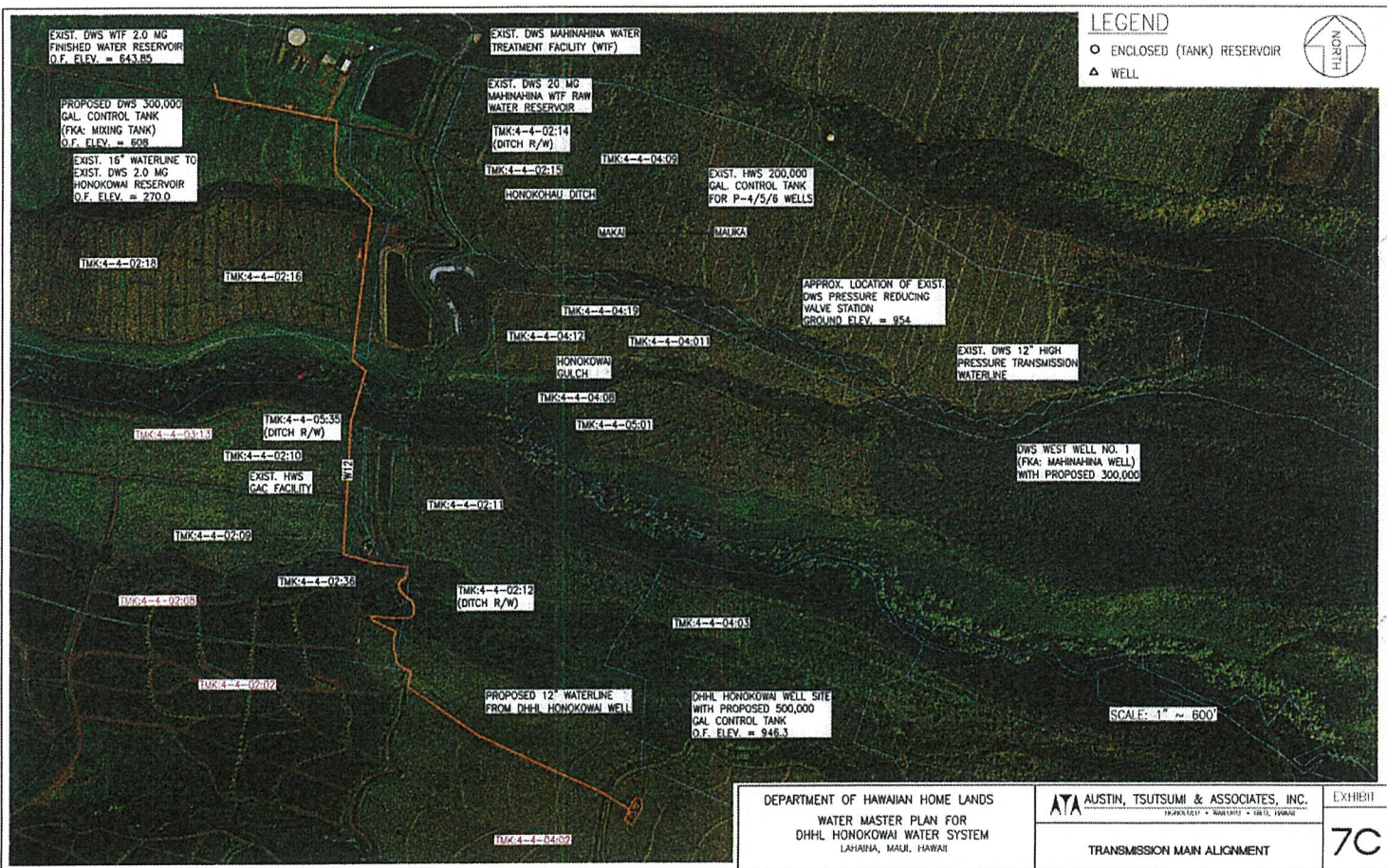
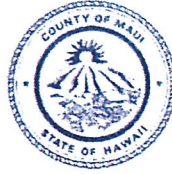


Exhibit C  
pg 2 of 2

ALAN M. ARAKAWA  
Mayor



DAVID TAYLOR, P.E.  
Director

GLADYS C. BAISA  
Deputy Director

**DEPARTMENT OF WATER SUPPLY**  
**COUNTY OF MAUI**  
200 SOUTH HIGH STREET  
WAILUKU, MAUI, HAWAII 96793-2155  
[www.mauewater.org](http://www.mauewater.org)

February 13, 2018

Seiko Machida, Land Agent  
Land Division  
Department of Land and Natural Resources, State of Hawaii  
54 High Street, Room 101  
Wailuku, Hawaii 96793

Subject: Right-of-entry Permit to Department of Hawaiian Home Lands, for the Purposes of  
Conducting Surveys for a Proposed Well Site and Water Transmission Line  
TMK: (2) 4-4-004:002 and 008

Dear Ms. Machida,

Thank you for the opportunity to comment on the Right-of-Entry in Honokowai. The Maui County Department of Water Supply (DWS) has infrastructure located within the access routes to the property. If the Right-of-Entry Permit should be approved, DWS requests access routes remain open to the department vehicles and emergency vehicles allowing full access to all of our infrastructure including wells, tanks, treatment plant, reservoirs, intakes, etc.

Should you have any questions, contact Audrey Dack at (808) 463-3109 or [audrey.dack@mauicounty.gov](mailto:audrey.dack@mauicounty.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Baisa".

Gladys C. Baisa, Deputy Director  
Director  
apd

**EXHIBIT "D"**

2018 FEB 14 PM 2:38

PROCESSED  
MAINTENANCE  
SECTION

*"By Water All Things Find Life"*