

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

Board of Land and
Natural Resources
State of Hawai'i
Honolulu, Hawai'i

ISSUANCE OF A RIGHT-OF-ENTRY PERMIT TO THE COUNTY OF
KAUA'I FOR GATE AND BOULDER INSTALLATION ON ENCUMBERED
GOVERNMENT LANDS AT PORT ALLEN AIRPORT
TAX MAP KEYS: (4) 1-8-008: PORTION OF 004 AND (4) 1-8-008:076 KAUA'I

APPLICANT:

COUNTY OF KAUA'I, a political subdivision of the State of Hawai'i.

LEGAL REFERENCE:

Sections 171-11 and 171-55, Hawai'i Revised Statutes, as amended.

LOCATION AND TAX MAP KEY:

Portion of Port Allen Airport, Hanapēpē, Island of Kaua'i, identified by Tax Map Key:
4th Division, 1-8-008: Portion of 004 and 076, see attached Exhibit A.

AREAS:

Areas as shown and delineated on the attached Exhibit B.

ZONING:

State Land Use: Urban
County: Open

LAND TITLE STATUS:

Section 5(a), Hawai'i Admissions Act: Ceded
DHHL, 30% entitlement lands Yes No

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CURRENT USE STATUS:

Encumbered under Governor’s Executive Order No. 931 issued in 1941 to the Superintendent of Public Works for public purposes as Port Allen Airport. Under the Government Reorganization Act of 1959, the Department of Public Works was transferred to the Department of Transportation.

CHARACTER OF USE:

Gate and boulder Installation for the Lo`i Pa`akai of `Ukula at Hanapēpē (Salt Pond).

TERM OF RIGHT-OF-ENTRY:

Two (2) years from date of execution.

CONSIDERATION:

Gratis.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Applicant, its consultants, contractors and/or persons acting for or on its behalf shall comply with all applicable federal, state and county environmental impact regulations, including but not limited to Chapters 343 and 6E, Hawai‘i Revised Statutes, as amended, to the extent required by law.

DCCA VERIFICATION:

As a government entity, applicant is not required to register with DCCA.

REMARKS:

The County of Kaua‘i is requesting the issuance of a right-of-entry permit for the purpose of placing a gate at the intersections of Lokokai Road and Ka‘alani Road and Kuiloko Road and Ka‘alani Road, and boulders at the beach end of Lele Road. In recent years, Salt Pond has experienced frequent trespassers who impact the culturally significant salt making practice. According to pa`akai practitioners and observers of the area, the ponds are exposed to the dust and pollutants created by vehicles which traverse the perimeter of the area.

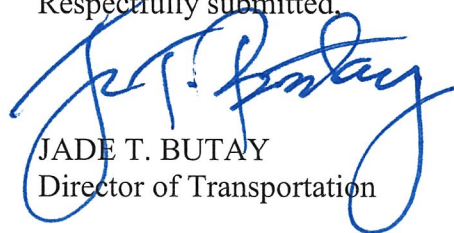
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RECOMMENDATION:

That the Board authorize the issuance of a right-of-entry permit to the County of Kaua‘i covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

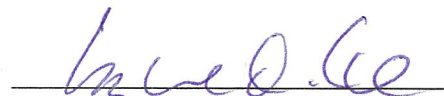
- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
- B. Review and approval by the Department of the Attorney General;
- C. Such other terms and conditions as may be prescribed by the Chairperson or the Director of Transportation to best serve the interests of the State;
and
- D. Authorize the Chairperson or the Director of Transportation to issue extensions to this right-of-entry to the Applicant for good cause as related to the aforementioned activities.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member

