

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

March 22, 2019

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

MAUI

Issuance of Right-of-Entry Permit to the Department of Hawaiian Home Lands to
Conduct Field Studies for a Temporary Wastewater Facility at Pulehunui, Maui,
Tax Map Keys: (2) 3-8-008:001, 037 & 038.

APPLICANT:

Department of Hawaiian Home Lands (DHHL)

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Pulehunui, Maui identified by Tax Map Keys:
(2) 3-8-008:001, 037 & 038, as shown on the attached map labeled Exhibit A.

AREA:

Approximately 4.2 acres, more or less.

ZONING:

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

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES X
NO _____

CURRENT USE STATUS:

Parcel (2) 3-8-008:001 is encumbered by Governor's Executive Order No. 3909 to the State Department of Defense for Armory and other related purposes.

Parcel (2) 3-8-008:037 is encumbered by Governor's Executive Order No. 4024 to the County of Maui for public and recreational site purposes.

CHARACTER OF USE:

Field study purposes.

TERM OF RIGHT-OF-ENTRY:

One year from date of acceptance.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class 5, Items 22 and 23, which state "Conduct planning and feasibility studies" and "Permission to enter State lands for the purpose of conducting those activities listed above."

DCCA VERIFICATION:

Not applicable as applicant is a State agency.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Obtain written concurrence from all users of the subject land.

REMARKS:

DHHL is currently conducting regional infrastructure master planning efforts at Puhunui, Maui, intended to serve several proposed State development projects in the area, including the DLNR Industrial and Business Park, DHHL's Pulehunui North and

South developments, and the Maui Regional Public Safety Complex. As part of its planning efforts, DHHL has requested a right-of-entry (ROE) to access several DLNR parcels for the purpose of conducting field studies, including an archaeological survey, Phase 2 environmental site data gathering, obtaining geotechnical boring samples, and field topographic survey.

The purpose of the studies is to explore an alternative for the collection of wastewater from some of the aforementioned project sites into pump stations. The wastewater would then be pumped to a temporary wastewater treatment facility proposed to be located at the boundary of DHHL land that is the site of the Pulehunui South development. A draft layout of this system is attached as Exhibit B. A proposed gravity sewerline and forcemain that will intercept wastewater from the project sites is located within TMK: (2): 3-8-008: 001, 0037 and 0038. In order to complete the design construction plans for this alternative, DHHL and their consultants must complete additional field studies within this corridor. The second attachment shows the right-of-entry corridor within the DLNR properties.

As DHHL is a state agency, and this project would provide significant benefit the Department's proposed business and industrial park project, the Board is requested to approve the ROE at gratis. Finally, since portions of the ROE area are set aside via executive as noted above, DHHL will be required to obtain written concurrence from the subject agencies.

RECOMMENDATION: That the Board

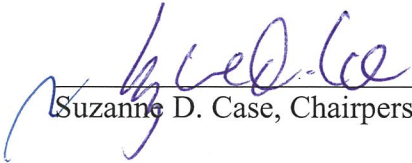
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
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.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ian M.", written over a horizontal line.

Ian Hirokawa
Special Projects Coordinator

APPROVED FOR SUBMITTAL:

A handwritten signature in blue ink, appearing to read "Suzanne D. Case", written over a horizontal line.

Suzanne D. Case, Chairperson

DAVID Y. IGE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

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HONOLULU, HAWAII 96809

March 22, 2019

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

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
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

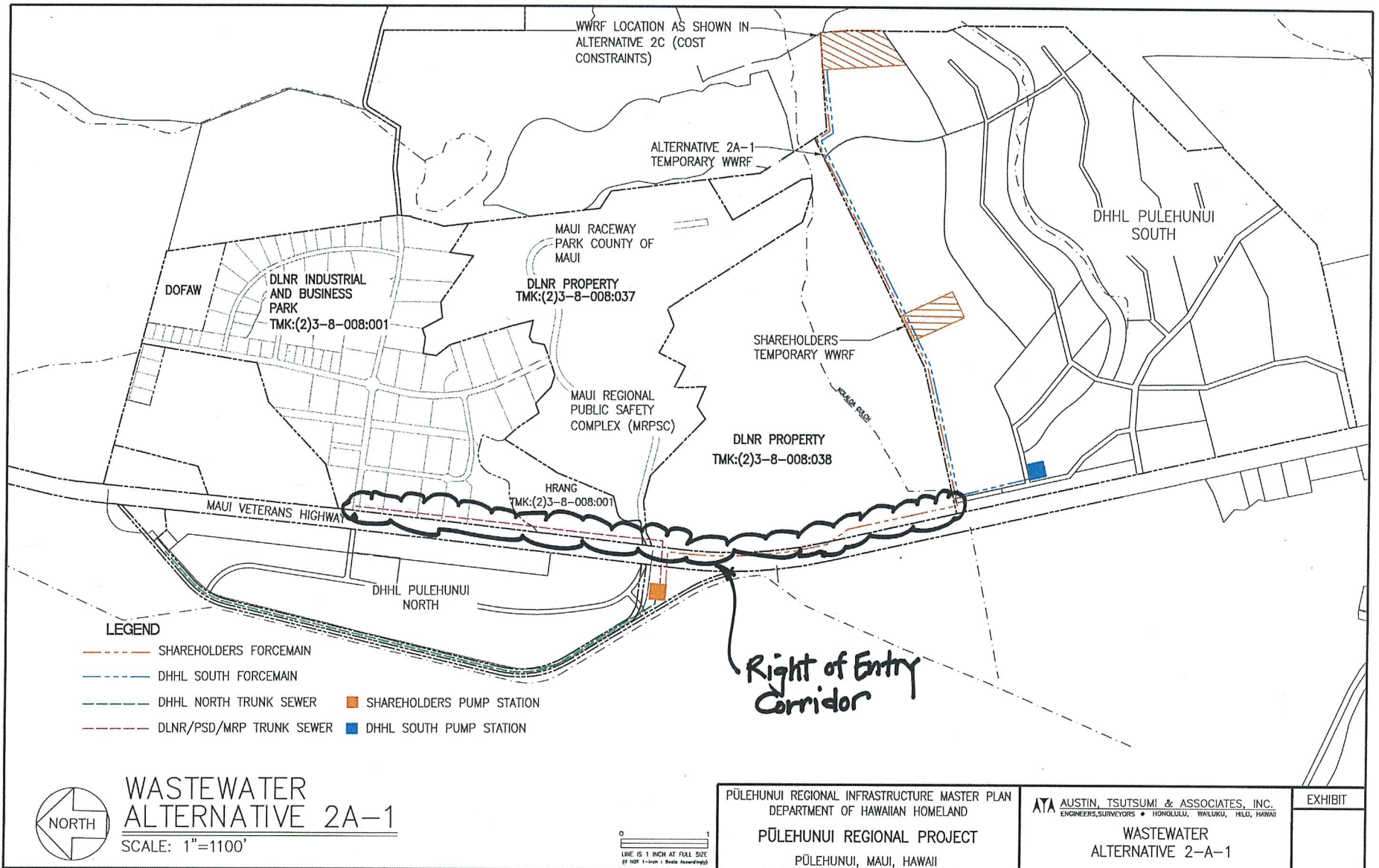
regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Right-of-Entry Permit to the Department of Hawaiian Home Lands to Conduct Field Studies for a Temporary Wastewater Facility at Pulehunui, Maui, Tax Map Keys: (2) 3-8-008:001, 037 & 038
Project Location:	Portion of Government lands situated at Pulehunui, Maui identified by Tax Map Keys: (2) 3-8-008:001, 037 & 038, as shown on the attached map labeled Exhibit A.
Project Description:	Field studies for infrastructure master planning purposes
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with the Exemption List for the Department of Land and Natural Resources, approved by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class 5, Items 22 and 23, which state "Conduct planning and feasibility studies" and "Permission to enter State lands for the purpose of conducting those activities listed above."
Cumulative Impact of Planned Successive Actions in Same Place Significant:	No, this is not a recurring action.
Action May Have Significant Impact on Particularly Sensitive Environment:	The affected area has previously been used for sugar cane cultivation and civilian and military airfield purposes prior to that.
Agencies Consulted:	Department of Hawaiian Home Lands
Analysis:	The Board has permitted similar actions in the past. Field

studies are not intensive and land has been in prior long term use for a variety of purposes. Furthermore, environmental studies are being conducted for the proposed projects that are the subject of the field studies.

Recommendation:

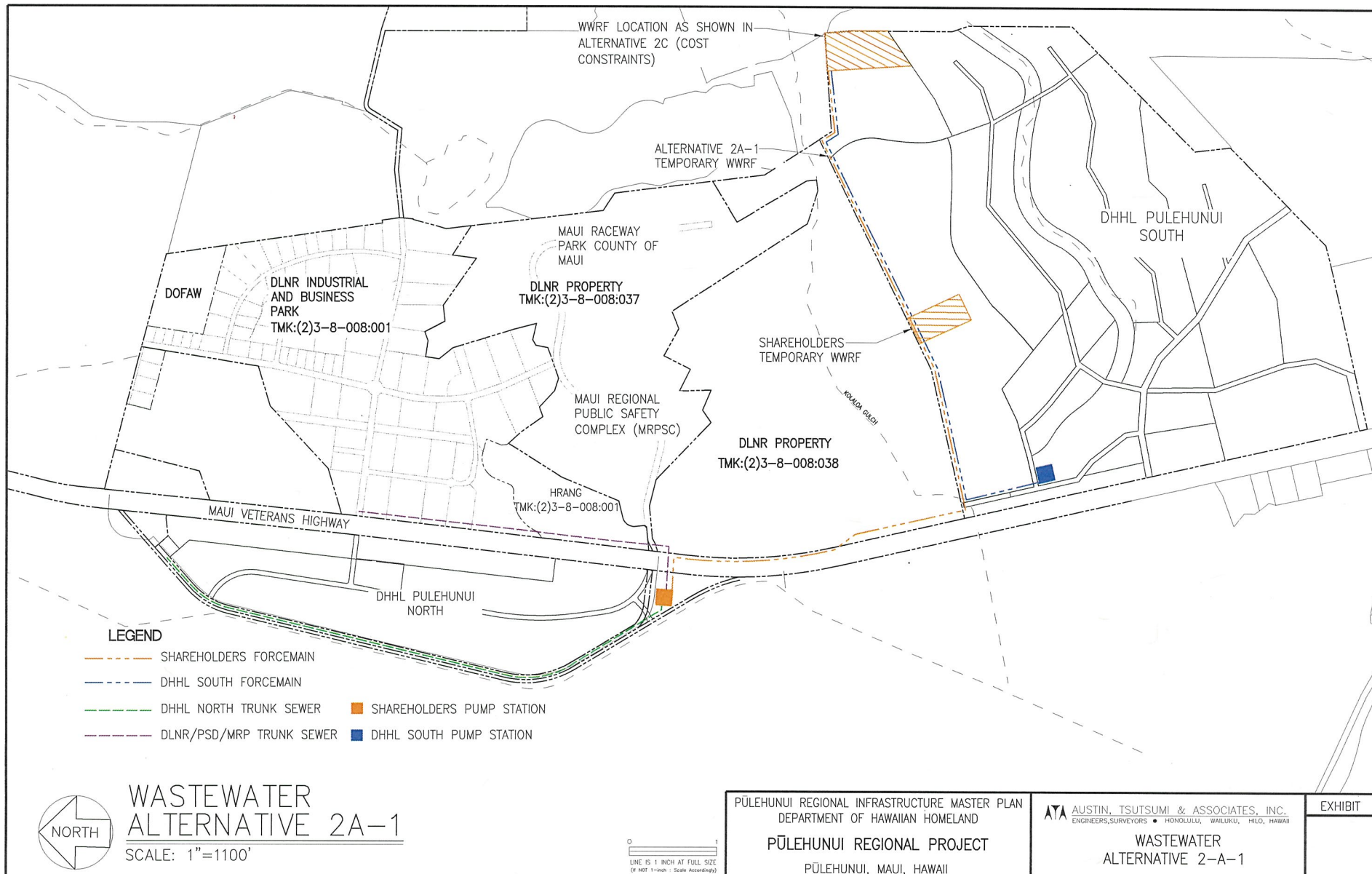
It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



JOB NO. M-16-576
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FEBRUARY 2019

EXHIBIT "A"



302 NO. M-16-576
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EXHIBIT "B"