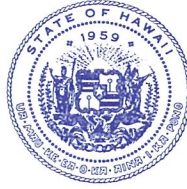


DAVID Y. IGE
GOVERNOR



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
DEREK J. CHOW
ROSS M. HIGASHI
EDWIN H. SNIFFEN

IN REPLY REFER TO:

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

ISSUANCE OF RIGHT-OF-ENTRY PERMIT TO UNIVERSITY OF HAWAI'I SEA
GRANT COLLEGE PROGRAM FOR HYDROLOGICAL INVESTIGATION ON
ENCUMBERED GOVERNMENT LANDS AT PORT ALLEN AIRPORT
TAX MAP KEY NOS: (4) 1-8-008: PORTION OF 004, 072 AND 076 KAUA'I

APPLICANT:

UNIVERSITY OF HAWAI'I SEA GRANT COLLEGE PROGRAM

LEGAL REFERENCE:

Section 171-11, 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, 072 and 076, see attached Exhibit A.

AREA:

50.00 acres, more or less, with areas as shown and delineated on the attached Exhibit B,
dated April 2019.

ZONING:

State Land Use: Urban
County: Open

ITEM M-13

LAND TITLE STATUS:

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

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:

Hydrological investigation for the Hanapēpē Salt Pond (Salt Pond).

TERM OF RIGHT-OF-ENTRY:

One and a half (1-1/2) 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.

Pursuant to Section 11-200-8(a), Hawai‘i Administrative Rules, and the Comprehensive Exemption List for the State of Hawai‘i, Department of Transportation (Amended November 15, 2000), the action to conduct the hydrological investigation is exempt from the preparation of an environmental assessment pursuant to Exemption Class 5 (basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource).”

DCCA VERIFICATION:

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

REMARKS:

The University of Hawai‘i Sea Grant College Program (Sea Grant) is requesting the issuance of a Right-of-Entry permit for the purpose of conducting hydrological investigations for the Salt Pond. In recent years, Salt Pond has experienced frequent flooding from marine and terrestrial sources, impacting the culturally significant salt making practice.

According to pa`akai practitioners and observers of the area, the ponds typically experience flooding by rainwater in the winter, followed by a short drier salt making season in the summer. The summer season is cut short by marine wave overtopping, subsurface marine flooding of the waipuna (wells), and possibly combined with rainwater flooding. The ponds drain very slowly after flooding.

The scope of work to be performed by Sea Grant will include collaboration with Hui Hāna Pa`akai o Hanapēpē, perform a coastal survey, evaluating soil properties, characterizing drainage patterns, monitoring water levels and salinity within the Salt Pond area, and conducting observations of wave run-up and marine overtopping.

The Right-of-Entry permit will allow Sea Grant to conduct hydrological investigations to better understand the drainage conditions and plan for future mitigation efforts to preserve salt-harvesting practices at the Salt Pond area.

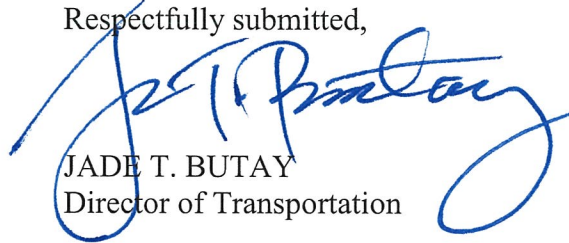
In addition, staff recommends the Board approve extensions of this right-of-entry for good cause, e.g., beyond the requested period for circumstances due to weather or for other good reason.

RECOMMENDATION: That the Board

1. Approve the issuance of a right-of-entry permit to the University of Hawai‘i Sea Grant College Program 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; and
 - 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.

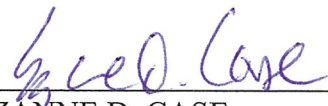
2. Approve extensions of this right-of-entry to the Applicant for good cause as related to the aforementioned activities.

Respectfully submitted,

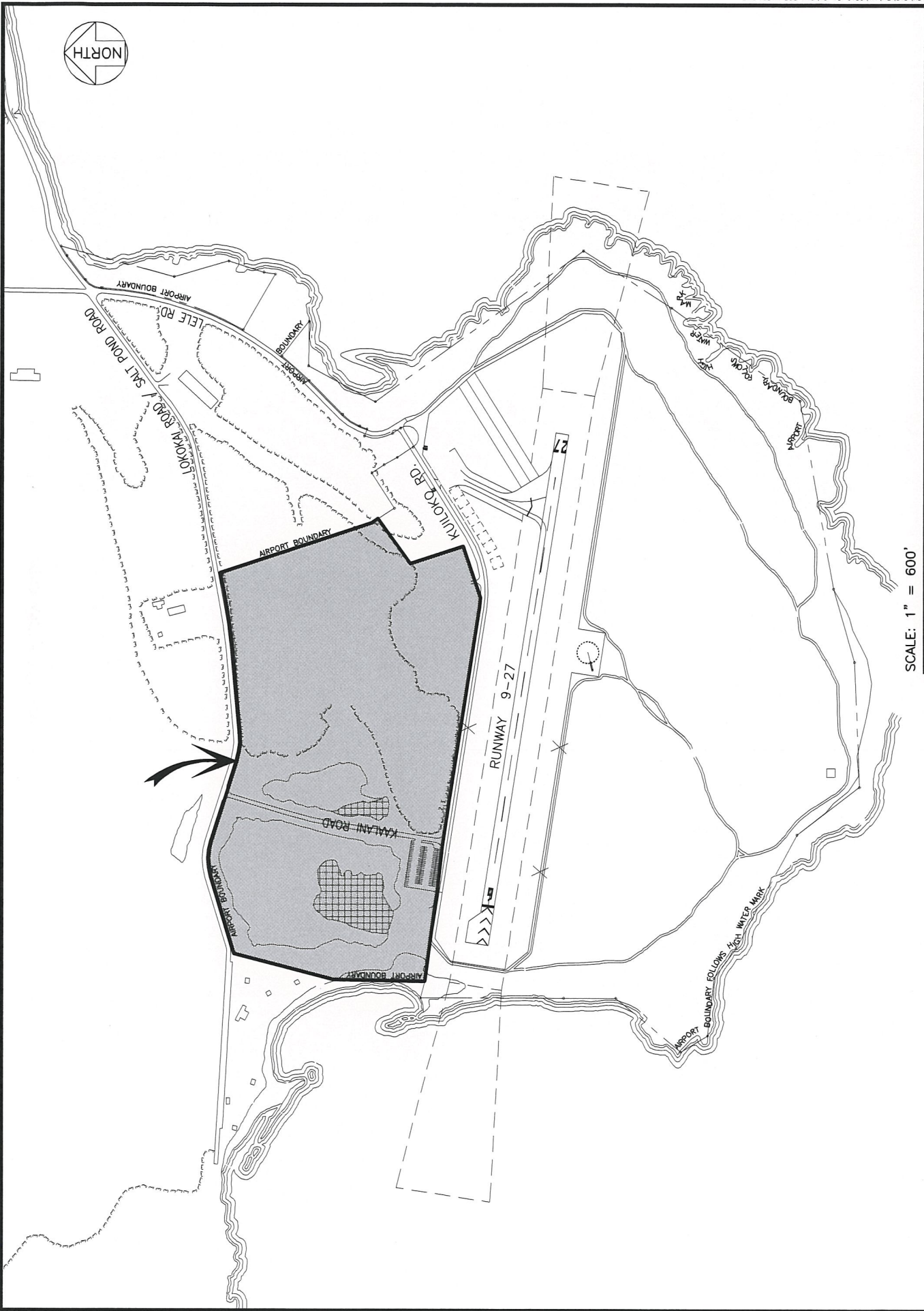


JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE
Chairperson and Member



SCALE: 1" = 600'

PORT ALLEN AIRPORT

Date : APRIL 2019

EXHIBIT:

B

SHT 1 OF 1

PAK ROE MAP

Airports Division

