

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Forestry and Wildlife
Honolulu, Hawai'i

July 26, 2019

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

Land Board Members:

SUBJECT: Authorize the cancellation of Executive Order 3564, delegate authority to the Chairperson to negotiate and finalize a re-set aside to the County of Kauai for housing and management of memorial and arboretum improvements purposes a re-set aside to the Division of Forestry and Wildlife for native plant nursery and baseyard purposes, and authorize the transfer funds to the County of Kauai for memorial and arboretum improvements, TAX MAP KEY NO. (4) 3-8-005:002 Lihue, Kauai (known as the Pua Loke Nursery and Arboretum)

SUMMARY:

This Board submittal requests:

- 1) Authorize the cancellation of Executive Order 3564;
Delegate to the Chairperson authority to negotiate and finalize a re-set aside of approximately 1.5 acres, more or less, to the County of Kauai for housing and management of memorial and arboretum improvements purposes and re-set aside the balance of the parcel to the Division of Forestry and Wildlife for native plant nursery and baseyard purposes.;
- 2) Authorize the transfer of funds to the County of Kauai for memorial and arboretum improvements

LOCATION:

Portion of Government lands situated at Pua Loke in Lihue, Kauai, identified by TMK: (4) 3-8-005:002 as shown on attached maps labeled as **Exhibit 1**.

AREA:

(4) 3-8-005:002 7.319 acres

ZONING:

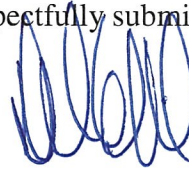
State Land Use District – Urban
County of Kauai CZO – Commercial

RECOMMENDATION:

That the Board of Land and Natural Resources:

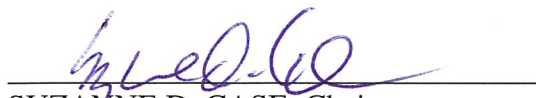
1. Declare that, after considering the potential effects of the proposed actions as provided by Chapter 343, HRS, and Chapter 11-200, HAR, these actions will likely have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the cancellation of Executive Order 3564.
3. Delegate authority to the Chairperson to negotiate and finalize the re-set aside of a portion of the Pua Loke Arboretum to the County of Kauai for housing and management of memorial and arboretum purposes and a re-set aside of the balance of the Pua Loke Arboretum to the Division of Forestry and Wildlife for native plant nursery and baseyard purposes.
4. Authorize the transfer of funds to the County of Kauai for memorial and arboretum improvements (known as the *Pua Loke Nursery and Arboretum Spark Matsunaga Peace Garden Capital Improvement Project*), and delegate to the Chairperson authority to enter into any necessary agreements with the County of Kauai for the transfer of funds

Respectfully submitted,



DAVID G. SMITH, Administrator
Division of Forestry and Wildlife

APPROVED FOR SUBMITTAL:

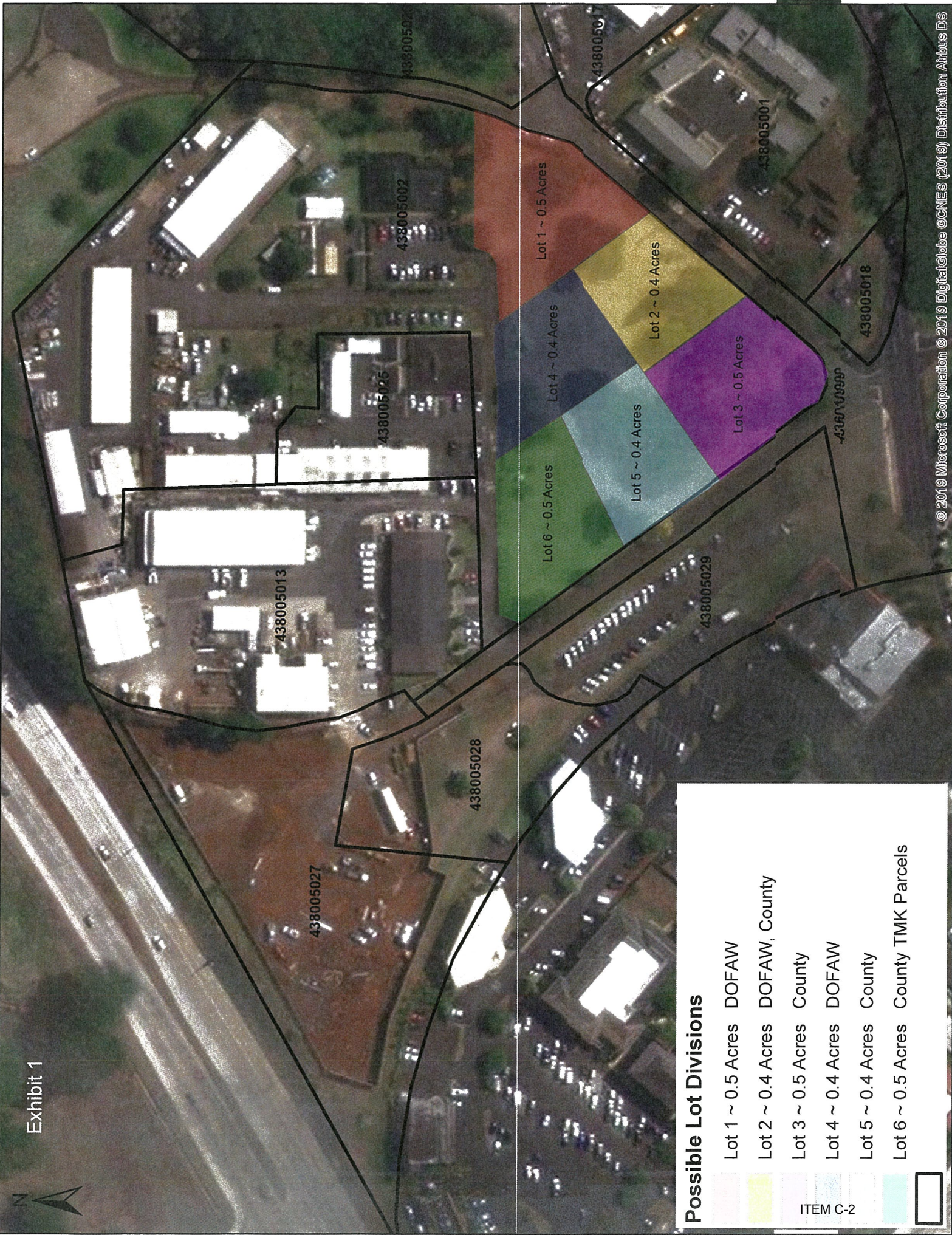


SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

EXHIBITS:

- 1) Aerial map of Pua Loke baseyard, arboretum and vicinity;
- 2) HRS Chapter 343 Exemption Notification

Exhibit 1



Possible Lot Divisions

- Lot 1 ~ 0.5 Acres DOFAW
- Lot 2 ~ 0.4 Acres DOFAW, County
- Lot 3 ~ 0.5 Acres County
- Lot 4 ~ 0.4 Acres DOFAW
- Lot 5 ~ 0.4 Acres County
- Lot 6 ~ 0.5 Acres County TMK Parcels

ITEM C-2



EXEMPTION NOTIFICATION

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

Project Title: Authorize the cancellation of Executive Order 3564, delegate authority to the Chairperson to negotiate and finalize a re-set aside to the County of Kauai for housing and management of memorial and arboretum improvements purposes a re-set aside to the Division of Forestry and Wildlife for native plant nursery and baseyard purposes, and authorize the transfer funds to the County of Kauai for memorial and arboretum improvements, TAX MAP KEY NO. (4) 3-8-005:002 Lihue, Kauai (known as the Pua Loke Nursery and Arboretum)

Project/Reference No: Not Applicable

Project Location: Pua Loke Baseyard, Lihue, Kauai TMK (4) 3-8-005:002

Project Description Re-set-aside a portion of EO3564 to the County of Kauai for housing purposes and the management of the “Spark Matsunaga Peace Memorial, and to the Division of Forestry and Wildlife for native plant nursery and baseyard purposes.

Chapter 343 Trigger: 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 reviewed and 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.”

Consulted Parties: Department of Accounting and General Services, Kauai Governor’s Office, Kauai Economic Opportunity, Kauai Division of Conservation and Resources Enforcement, DLNR Chair’s Office, Kauai Mayor’s Office, Kauai County Council, Kauai County Office of Planning, Ed Kawamura (Local Businessman), Howard Shapiro (Performing and Fine Arts for World Peace), Kauai County Human Services, Division of State Parks

Recommendation: That the Board finds this project will probably have minimal or no significance effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.