



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

IN REPLY REFER TO:

August 15, 2019

Ms. Suzanne D. Case, Chairperson
Department of Land Natural Resources
Main Office, Kalanimoku Building
1151 Punchbowl Street, Room 130
Honolulu, Hawaii 96813

Dear Ms. Case:

Subject: Land Board Submittal to Board of Land and Natural Resources
State of Hawaii, Honolulu, Hawaii

KAUAI

Acquisition of:

(1) Perpetual easements to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kuhio Highway, Route 560 Replacement of Wainiha Stream Bridges Nos. 2 and 3, Sta. 101+50.00 to 111+08.24, Project No. HI STP SR560 (1), at Wainiha, Hanalei, Kauai, Hawaii, Re Tax Map Key Nos: (a) (4) 5-8-007: Portion of 023; (b) (4) 5-8-006: Portion of 009, 011-2; and

(2) Temporary Construction Right-of-Entry to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kuhio Highway, Route 560 Replacements of Wainiha Stream Bridges Nos. 2 and 3, Sta. 101+50.00 to 111+08.24, Project No. HI STP SR560 (1), at Wainiha, Hanalei, Kauai, Hawaii, Re Tax Map Key Nos: (a) (4) 5-8-007: Portion of 023; (b) (4) 5-8-006: Portion of 030; (c) (4) 5-8-007: Portion of 024; (d) (4) 5-8-006: Portion of 032; (e) (4) 5-8-006: Portion of 060; (f) (4) 5-8-006: Portion of 046; (g) (4) 5-8-006: Portion of 033; (h) (4) 5-8-002: Portion of 002; (i) (4) 5-8-006: Portion on 031.

APPLICANT:

DEPARTMENT OF TRANSPORTATION, Highways Division (DOT).

LEGAL REFERENCE:

Sections 107-10, 171-30, and Chapter 264, Hawaii Revised Statutes, as amended.

ITEM M-5

LOCATION:

Portion of lands relating to Kuhio Highway, Route 560 Replacements of Wainiha Stream Bridges Nos. 2 and 3, Sta. 101+50.00 to 111+08.24, Project No. HI STP SR560 (1), at Wainiha, Hanalei, Kauai, Hawaii, as shown and described on the attached maps labeled collectively as Exhibit A.

AREA:

Perpetual Easements:

Easement E-1 = 519 square feet
Easement E-2 = 1,593 square feet
Easement E-3 = 869 square feet

Tax Map Key Nos.:

(4) 5-8-007:023
(4) 5-8-006:009
(4) 5-8-006:011-2

Temporary Construction Parcels:

Construction Parcel C1 = 2,223 square feet
Construction Parcel C2 = 20, 528 square feet
Construction Parcel C3 = 481 square feet
Construction Parcel C4 = 307 square feet
Construction Parcel C5 = 228 square feet
Construction Parcel C6 = 102 square feet
Construction Parcel C7 = 261 square feet
Construction Parcel C8 = 204 square feet
Construction Parcel C9 = 772 square feet
Construction Parcel C10 = 2,877 square feet
Construction Parcel C11 = 1,029 square feet
Construction Parcel C12 = 918 square feet

Tax Map Key Nos.:

(4) 5-8-007:023
(4) 5-8-006:030
(4) 5-8-007:024
(4) 5-8-006:032
(4) 5-8-006:030
(4) 5-8-006:060
(4) 5-8-006:046
(4) 5-8-006:033
(4) 5-8-006:032
(4) 5-8-006:030
(4) 5-8-002:002
(4) 5-8-006:031

ZONING:

Tax Map Key No. (4) 5-8-007:023	Open
Tax Map Key No. (4) 5-8-006:009	Open
Tax Map Key No. (4) 5-8-006:011-2	Open
Tax Map Key No. (4) 5-8-006:030	Conservation
Tax Map Key No. (4) 5-8-007:024	Open
Tax Map Key No. (4) 5-8-006:032	Open
Tax Map Key No. (4) 5-8-006:046	Open
Tax Map Key No. (4) 5-8-006:033	Open
Tax Map Key No. (4) 5-8-002:002	Conservation
Tax Map Key No. (4) 5-8-006:031	Open
Tax Map Key No. (4) 5-8-006:060	Open

CURRENT USE STATUS:

Tax Map Key No. (4) 5-8-007:023	Vacant and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:009	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:011-2	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:030	Vacant and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-007:024	Vacant and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:032	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:046	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:033	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-002:002	Occupied and encumbered by encumbrances that will not be affected by the project.
Tax Map Key No. (4) 5-8-006:031	Occupied and encumbered by encumbrances that will not be affected by the project.

Current ownership is as noted on Exhibit A as follows:

Perpetual Easements:

Easement E-1 = Rod J. Zimmerman
Easement E-2 = Lawrence L. Ching Trust
Easement E-3 = Mark Barbanell

Tax Map Key Nos.:

(4) 5-8-007:023
(4) 5-8-006:009
(4) 5-8-006:011-2

Temporary Construction Parcels:

Construction Parcel C1 = Rod J. Zimmerman
Construction Parcel C2 = County of Kauai
Construction Parcel C3 = Lawrence L. Ching Trust
Construction Parcel C4 = Mark Barbanell
Construction Parcel C5 = County of Kauai

Tax Map Key Nos.:

(4) 5-8-007:023
(4) 5-8-006:030
(4) 5-8-007:024
(4) 5-8-006:032
(4) 5-8-006:030

<u>Temporary Construction Parcels:</u>	<u>Tax Map Key Nos.:</u>
Construction Parcel C6 = Sharon Gottfried	(4) 5-8-006:060
Construction Parcel C7 = Charles Linebaugh	(4) 5-8-006:046
Construction Parcel C8 = Gary Pfeffer	(4) 5-8-006:033
Construction Parcel C9 = Fireweed LLC	(4) 5-8-006:032
Construction Parcel C10 = County of Kauai	(4) 5-8-006:030
Construction Parcel C11 = Keith Robinson and Bruce Robinson	(4) 5-8-002:002
Construction Parcel C12 = Brian Kennelly Trust	(4) 5-8-006:031

COMPENSATION:

HDOT determined the compensation by an independent appraiser by report dated April 2, 2019.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

A final environmental assessment was prepared and notice of its availability published in Office of Environmental Quality Control’s Environmental Notice on February 8, 2018.

REMARKS:

The DOT is proposing to replace three Wainiha stream bridges (Nos. 1, 2, and 3) along Kuhio Highway in Wainiha, Hanalei, Kauai, Hawaii. The purpose of the project is to replace the three temporary Acrow Panel modular steel bridges on the Wainiha River with new one-lane bridges that are more visually consistent with the historic wooden bridges that predated the temporary bridges. The new reinforced concrete bridge structures will meet or exceed the current State and Federal design standards.

The State Historic Preservation Division’s letter dated December 15, 2017 “concur with the significance assessments, the determinations of eligibility, the HRS 6E project effect determination, and proposed mitigations, in accordance with HAR § 13-275-7.”

As of September 1, 2018, the Department of the Attorney General has mandated the DOT to obtain Board approval for all acquisitions in accordance with Section 171-30, Hawaii Revised Statutes.

RECOMMENDATION:

That the Board:

- A. Authorize the acquisition of the subject lands under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
 1. The standard terms and conditions of the appropriate construction right-of-entry and perpetual grant of easement forms, as may be amended from time to time;

Ms. Suzanne D. Case, Chairperson
August 15, 2019
Page 5

2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.
- B. Authorize the acquisition of temporary construction right-of-entries under the terms and conditions cited above which are by this reference incorporated herein and further subject to the following:
1. The standard terms and conditions of the appropriate construction right-of-entry and perpetual grant of easement forms, as may be amended from time to time;
 2. Review and approval by the Department of the Attorney General; and
 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interest of the State.
- C. Authorize the acquisition even in the event of a change in the ownership of those parcels described herein and on the attached maps labeled collectively as Exhibit A, under the terms and conditions cited above which are by this reference incorporated herein.

Sincerely,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson



STATE OF HAWAII



DEPARTMENT OF TRANSPORTATION
 HIGHWAYS DIVISION
 HONOLULU, HAWAII

RIGHT OF WAY MAP

KUHIO HIGHWAY, ROUTE 560

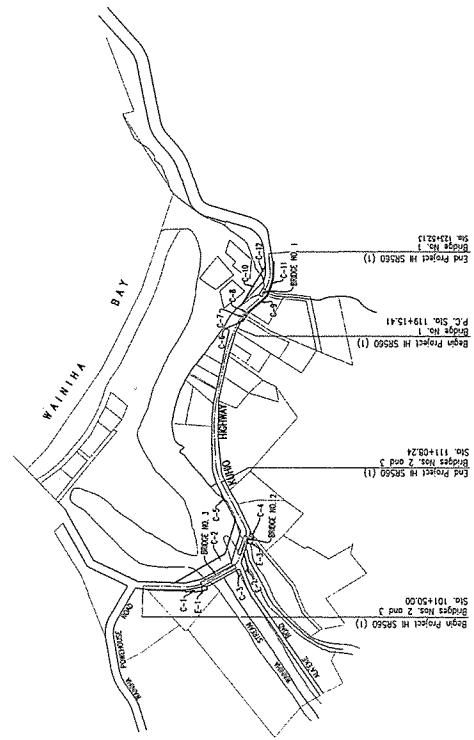
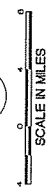
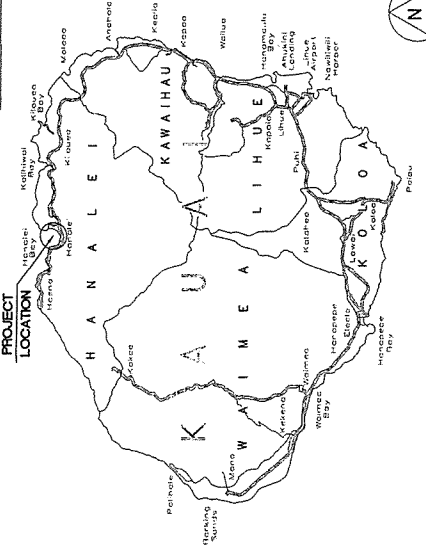
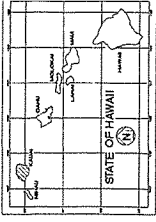
**REPLACEMENT OF WAINIHA STREAM BRIDGES
 NOS. 2 AND 3, STA. 101+50.00 TO 111+08.24
 NO. 1, STA. 119+15.41 TO 123+52.13**

PROJECT NO. HI STP SR560 (1)

AT WAINIHA, HANALEI, ISLAND OF KAUAI, HAWAII

LEGEND

	Proposed Right-of-Way
	Boundary or Barbed
	Link-of-Slope
	Control-Access-Line (Special conditions are noted on map)
	Original Boundary—Channel, Canal, E.C., A.L., D.C., R.R., etc.
	Property Lines—The date of acquisition is shown on map
	Easement Lines
	Water Arroyo
	Water Rivulet
	Water Stream
	Water Pond
	Edge of water area
	Palm Trees
	Trees
	Stream
	Scully
	Bridge
	Retaining wall
	Structure
	Road
	Railroad
	Filling roadway
	Street monument
	Fire hydrant
	Water main
	Concrete
	Asphalt
	Gravel
	Water
	Water mark
	Water mark
	Water mark
	Water mark

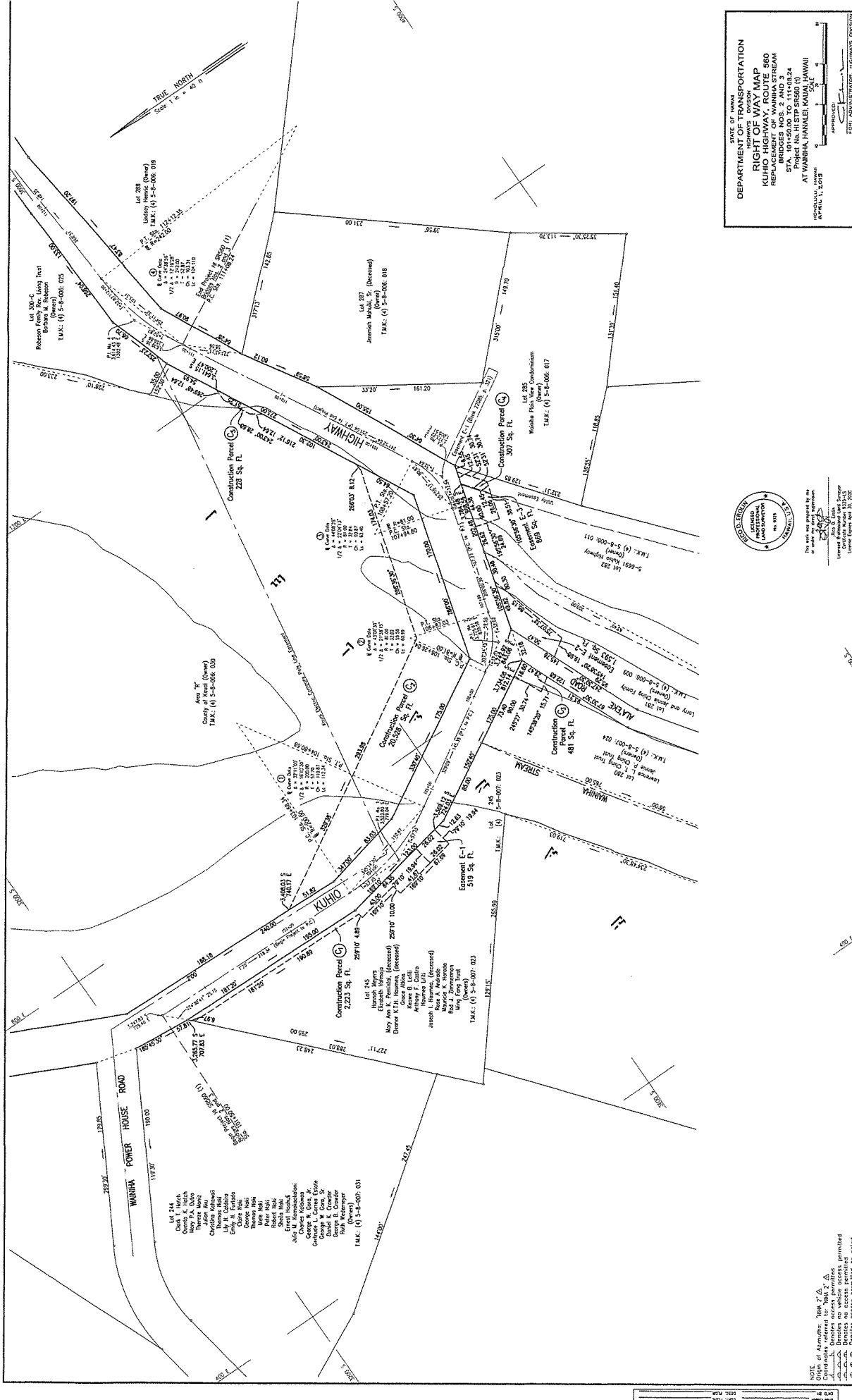


LOCATION PLAN
 NOT TO SCALE

EXHIBIT A

DEPARTMENT OF TRANSPORTATION
 STATE OF HAWAII
 APPROVED: _____ DATE 4.2.19
 FOR DOCUMENTATION: _____

SHEET NO. 1 OF 3 SHEETS
 P.H. 641



NOTE:
 Origin of Arrows: 'X' for Right of Way, 'Y' for Easements.
 Symbols: 'X' for Right of Way, 'Y' for Easements.
 '—' Denotes no vehicle access permitted.
 '- - - -' Denotes access permitted as noted on plan.

REVISIONS:
 NO. DATE

APPROVALS:
 DESIGNED: _____
 CHECKED: _____
 DRAWN: _____
 SCALE: _____
 DATE: _____

PROJECT INFORMATION:
 STATE OF HAWAII
 DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
RICH AND ANNA MAP
 KULIA HIGHWAY, ROUTE 560
 REPLACEMENT OF WANNHA STREAM
 BRIDGES NOS. 2 AND 3
 FROM MALEI TO HANALEI
 PROJECT NO. HI STP 5650 (1)
 AT WANNHA, HANALEI, KAULAI, HAWAII
 APRIL 11, 2012

LEGAL INFORMATION:
 This work was prepared by me or under my direct supervision and I am a duly licensed Professional Engineer in the State of Hawaii.
 License No. _____
 License Expires 04/30/2012

PROPERTY LISTING:
 Lot 223
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-018
 Owners: [List of names]

PROPERTY LISTING:
 Lot 224
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-019
 Owners: [List of names]

PROPERTY LISTING:
 Lot 225
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-020
 Owners: [List of names]

PROPERTY LISTING:
 Lot 226
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-021
 Owners: [List of names]

PROPERTY LISTING:
 Lot 227
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-022
 Owners: [List of names]

PROPERTY LISTING:
 Lot 228
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-023
 Owners: [List of names]

PROPERTY LISTING:
 Lot 229
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-024
 Owners: [List of names]

PROPERTY LISTING:
 Lot 230
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-025
 Owners: [List of names]

PROPERTY LISTING:
 Lot 231
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-026
 Owners: [List of names]

PROPERTY LISTING:
 Lot 232
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-027
 Owners: [List of names]

PROPERTY LISTING:
 Lot 233
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-028
 Owners: [List of names]

PROPERTY LISTING:
 Lot 234
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-029
 Owners: [List of names]

PROPERTY LISTING:
 Lot 235
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-030
 Owners: [List of names]

PROPERTY LISTING:
 Lot 236
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-031
 Owners: [List of names]

PROPERTY LISTING:
 Lot 237
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-032
 Owners: [List of names]

PROPERTY LISTING:
 Lot 238
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-033
 Owners: [List of names]

PROPERTY LISTING:
 Lot 239
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-034
 Owners: [List of names]

PROPERTY LISTING:
 Lot 240
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-035
 Owners: [List of names]

PROPERTY LISTING:
 Lot 241
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-036
 Owners: [List of names]

PROPERTY LISTING:
 Lot 242
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-037
 Owners: [List of names]

PROPERTY LISTING:
 Lot 243
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-038
 Owners: [List of names]

PROPERTY LISTING:
 Lot 244
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-039
 Owners: [List of names]

PROPERTY LISTING:
 Lot 245
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-040
 Owners: [List of names]

PROPERTY LISTING:
 Lot 246
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-041
 Owners: [List of names]

PROPERTY LISTING:
 Lot 247
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-042
 Owners: [List of names]

PROPERTY LISTING:
 Lot 248
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-043
 Owners: [List of names]

PROPERTY LISTING:
 Lot 249
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-044
 Owners: [List of names]

PROPERTY LISTING:
 Lot 250
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-045
 Owners: [List of names]

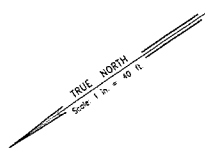
PROPERTY LISTING:
 Lot 251
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-046
 Owners: [List of names]

PROPERTY LISTING:
 Lot 252
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-047
 Owners: [List of names]

PROPERTY LISTING:
 Lot 253
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-048
 Owners: [List of names]

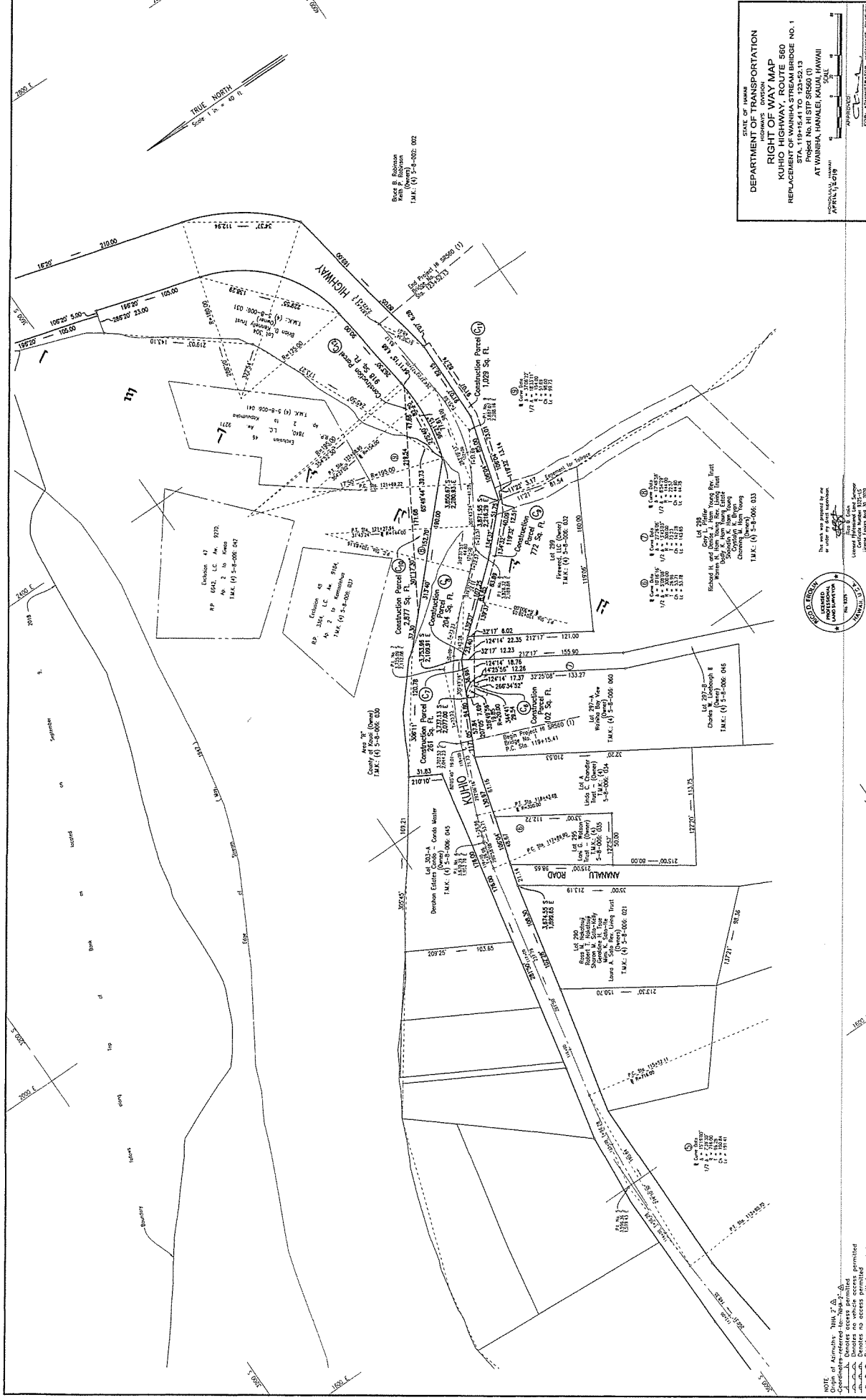
PROPERTY LISTING:
 Lot 254
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-049
 Owners: [List of names]

PROPERTY LISTING:
 Lot 255
 1,640 Sq. Ft. (0.036 ac)
 T.M.C. (1) 5-8-006-050
 Owners: [List of names]



STATE OF HAWAII
 DEPARTMENT OF TRANSPORTATION
 HIGHWAYS DIVISION
RIGHT OF WAY MAP
 KUHIO HIGHWAY, ROUTE 560
 REPLICATED FROM THE ORIGINAL RIGHT OF WAY MAP NO. 1
 STA. 119+54.1 TO 123+52.13
 Project No. HI STP SR560 (1)
 AT WAIHIBA, HANALEI, KAUAI, HAWAII
 APRIL 15, 2010

37' x 37' = 53.50 FT. P.H. 841
 SHEET NO. 3 OF 3 SHEETS



This work was prepared by me
 or under my supervision
 Licensed Professional Engineer
 License No. 577
 State of Hawaii
 License Expires April 30, 2010

NO.	REVISION	DATE

NO.	REVISION	DATE

NOTE:
 Origin of Arimuth: True North
 Coordinates referred to: NAD 83
 1. All dimensions are in feet and inches.
 2. Dimensions on vehicle access permitted
 3. Dimensions on easements are as shown.
 4. Dimensions on other access permitted as noted
 on plan

TAX MAP KEY (A) 5-8-2006