

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

January 24, 2020

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

PSF No.: 19HD-106

HAWAII

Set Aside to County of Hawaii for Parking Purposes, Waiakea, South Hilo,  
Hawaii, Tax Map Key: (3) 2-2-018:038.

APPLICANT:

County of Hawai'i

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands of Waiakea situated at Kinoole Street, Waiakea, South Hilo,  
Hawaii, identified by Tax Map Key: (3) 2-2-018:038, as shown on the attached maps  
labeled Exhibits A and B.

AREA:

0.199 acre (8,668.44 sq. ft.), more or less.

ZONING:

State Land Use District:	Urban
County of Hawai'i	CZO: (road), CG-7.5

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Vacant and unencumbered.

PURPOSE:

Parking purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and authority. It does not constitute a use of State lands or funds, and therefore, in accordance with Hawaii Administrative Rules (HAR) Section 200.1-15 and the Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council (approved on June 15, 2015), this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements pursuant to Exemption Class No. 1: "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," Item 43: "Transfer of management authority over state-owned land, such as setting aside of state lands." See Exhibit C attached.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 2) Obtain a title report to ascertain ownership, where necessary, at Applicant's own cost and subject to review and approval by the Department.

REMARKS:

The County of Hawai'i (COH) is requesting the Board of Land and Natural Resources (BLNR) to approve the issuance of an executive order for an unencumbered State parcel in Hilo. The subject parcel is situated in a commercial zone that is surrounded by a convenience store, laundromat, motorcycle shop, furniture store, a private school and a residential neighborhood. All surrounding businesses have minimal or no off-street parking. COH is planning to utilize the land for public parking purposes. The subject State parcel is too small for most other uses, and its irregular shape makes a parking lot one of its only feasible uses. The location of the parcel also makes public parking a fitting and desirable utilization of the land.

Although it would be possible for the State to sell a lease of the parcel at public auction for parking purposes, staff believes the parcel has attributes of a road remnant including

its size, shape, and the fact that it is bounded on all sides by roads under the management of COH. There are frequently disagreements between the State and the various counties regarding jurisdiction over roads and road remnants. In this case, COH is willing to assume management responsibility of this parcel. Staff believes it is more appropriate for COH to design a parking lot on this land, control access onto the adjoining COH roads, and ensure pedestrian and driver safety in the area than it would be for a State lessee to assume those responsibilities under a public auction lease.

Requests for comments were sent to various government agencies including the Department of Hawaiian Home Lands, DLNR State Historic Preservation Division, Department of Transportation, COH's Planning Department, Parks & Recreation, Public Works, Police Department, Fire Department and Office of Hawaiian Affairs. No comments or objections have been received.

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to County of Hawai'i under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
  - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
  - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
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Dan K. Gushiken  
Land Agent

APPROVED FOR SUBMITTAL:

  
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Suzanne D. Case, Chairperson



## 2 2 18



THIRD DIVISION		
ZONE	SEC	PLAT
2	2	18
CONTAINING		PARCELS
Scale 1 in = 40 ft.		



**Executive Order (Set Aside) to County of Hawai'i**  
**TMK: (3) 2-2-018:038 (Kino'ole St.)**  
**Waiakea, South Hilo, Hawaii**







TMK: (3) 2-2-018:038

**EXHIBIT B**

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**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

January 24, 2020

**EXEMPTION NOTIFICATION**

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200.1, Hawaii Administrative Rules (HAR):

<b>Project Title:</b>	Set Aside to County of Hawaii (COH) for Parking Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-2-018:038.
<b>Project / Reference No.:</b>	PSF No. 19HD-106.
<b>Project Location:</b>	Kinoole St., Waiakea, South Hilo, Hawaii, TMK: (3) 2-2-018:038.
<b>Project Description:</b>	Set Aside of State Lands situated at Waiakea, South Hilo, Hawaii, to COH for parking purposes.
<b>Chap. 343 Trigger(s):</b>	Use of State Land
<b>Exemption Class No. and Description:</b>	In accordance with HAR § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," and Item 43: "Transfer of management authority over state-owned land, such as setting aside of state lands."
<b>Cumulative Impact of Planned Successive Actions in Same Place Significant?:</b>	No. There are no planned successive actions in the same place.
<b>Action May Have Significant Impact on Particularly Sensitive Environment?:</b>	No. There are no particularly sensitive environmental issues involved with the proposed use of the property. The property is commercially zoned and located in an urban area.

**EXHIBIT C**



- Analysis:** The set-aside of the subject land to the County of Hawai'i for the limited purpose stated above will result in minimal material change or significant cumulative impact. If further actions are taken that result in a material change, County of Hawai'i will be required to comply with Chapter 343.
- Consulted Parties:** Department of Hawaiian Home Lands, DLNR State Historic Preservation Division, Department of Transportation, COH's Planning Department, Parks & Recreation, Public Works, Police Department, Fire Department and Office of Hawaiian Affairs.
- Recommendation:** That the Board find 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.