Suzanne D. Case, Chairperson  
c/o Board of Land and Natural Resources  
1151 Punchbowl Street, Room 130  
Honolulu, Hawaii 96813

Dear Chair Case and Board members:

Subject: Request for: (1) Temporary Construction Right-of-Entry to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kaumualii Highway, Eleele Pedestrian Overpass Repairs, Project No. 50C-01-19M, at Eleele, Koloa, Island of Kauai, State of Hawaii, Tax Map Key No: (4) 2-1-03: Portions of 023

KAUA'I

APPLICANT:

State of Hawaii, Department of Transportation, Highways Division (DOT).

LEGAL REFERENCE:

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

LOCATION:

Portions of land relating to Kaumualii Highway, Eleele Pedestrian Overpass Repairs, Project No. 50C-01-19M, at Eleele, Koloa, Island of Kauai, State of Hawaii, as shown and described on the enclosed map labeled as Exhibit A.

AREA:

Temporary Construction Parcels:  
Tax Map Key Nos.:  
Construction Parcel C1  
(4) 2-1-03: 023  
Construction Parcel C2  
(4) 2-1-03: 023

Item M- 7
Item M-7, Request for Temporary Construction Right-of-Entry
Suzanne D. Case, Chairperson
August 5, 2020
Page 2

ZONING:
Tax Map Key No. (4) 2-1-03: 023 Commercial

CURRENT USE STATUS:
Tax Map Key No. (4) 2-1-03: 023 Occupied and encumbered by encumbrances that will not be affected by the project.

Current ownership is as follows:

Temporary Construction Parcels:
Construction Parcel C1 Fee owner = Eleele Associates, Inc.

Construction Parcel C2 Fee owner = Eleele Associates, Inc.

Tax Map Key Nos.: (4) 2-1-03: 023

COMPENSATION:
DOT determined the compensation by an independent appraiser by report dated June 27, 2020.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:
The Environmental Quality Commission exempted the proposed action from Section 343-5(b), Hawaii Revised Statutes and Section 11-200-5, Hawaii Administrative Rules on November 15, 2000.

REMARKS:
The Eleele Pedestrian Overpass sits approximately 15 feet above Kaumualii Highway at Eleele Shopping Center. Due to damage, the overpass has been closed and the proposed improvements include removal of the damaged bridge and replacement with a new bridge. Makai of the overpass in the parking lot of the Eleele Shopping Center, the project requires a construction staging area and a bypass road. A temporary traffic detour will be required through the shopping center to allow Kaumualii Highway to close during the removal of the damaged bridge and installation of the new bridge. Traffic detours are anticipated only during the night closures of Kaumualii Highway to perform bridge work.

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 §171-30, Hawaii Revised Statutes.
RECOMMENDATION:

That the Board:

A. Authorize the acquisition of the subject land 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 conveyance document, 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 of Hawaii.

B. Authorize the acquisition even in the event of a change in the ownership of those temporary construction parcels described herein and on the enclosed 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

Enclosure