

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

October 23, 2020

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

PSF No: 16KD-096

KAUAI

Amend Prior Board Action of March 13, 2020, Item D-1, Amend Prior Board Actions of October 14, 2016, Item D-2, Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative for Utility Purposes; Grant of Immediate Management and Construction Right-of-Entry, Kekaha, Waimea, Kauai, Tax Map Keys: (4) 1-2-002: portions of 001, 009 and 040. The purpose of the amendment was to change the consideration for the easement from a one-time payment of fair market rent to nominal consideration of \$500.

The purpose of this amendment is to delete all references to Tax Map Key: (4) 1-2-002: portion of 001 and to update/correct supplemental information pertaining to the encumbrances on the parcels referenced in the "Current Use Status" relating to the easement area.

BACKGROUND:

At its meeting of October 14, 2016, Item D-2, the Board of Land and Natural Resources approved a perpetual, non-exclusive easement with an immediate management and construction right-of-entry permit to the Kauai Island Utility Cooperative for utility purposes at Kekaha, Waimea, Kauai Tax Map Keys: (4) 1-2-002: portions of 001,009 and 040.

At its meeting of March 13, 2020, Item D-1, the Land Board approved to amend its prior actions of October 14, 2016, Item D-2, to change the consideration for the easement from a one-time payment of fair market rent as determined by an independent appraisal to nominal consideration of \$500. (Exhibit A)

REMARKS:

In the processing of the above request, the Office of the Attorney General reviewed and noted that there were some discrepancies in the information provided in the Board actions.

Firstly, the prior Board actions referenced Tax Map Key: (4) 1-2-002: portion of 001 as being one of the parcels that contains a portion of the proposed easement. However, upon closer review of the survey map provided, it was noted and confirmed that the easement does not traverse Tax Map Key: (4) 1-2-002: por. 001 as originally thought.

It was also noted that some of the information contained in the “Current Use Status” section of the Board action relating to the encumbrances on the parcels referenced is inaccurate and/or outdated.

The following are the proposed revisions to the “Current Use Status” information:

CURRENT USE STATUS:

Tax Map Key: (4) 1-2-002: portion of 009

Encumbered by Governor’s Executive Order (GEO) 1558 to County of Kauai (COK) for Kekaha Dumping Ground (16.805 acres).

Encumbered by Governor’s Executive Order (GEO) 2872 to COK for Addition to Kekaha Dumping Ground (18.868 acres).

Tax Map Key: (4) 1-2-002: portion of 040

Encumbered by Revocable Permit No. S-7903 to Hartung Brothers Hawaii, LLC.

Encumbered by Revocable Permit No. S-7805 to Garden Isle Racing Association.

RECOMMENDATION: That the Board:

1. Amend its prior Board Actions of March 13, 2020, Item D-1 and October 14, 2016, Item D-2, by:
 - A. Deleting all references of Tax Map Key: (4) 1-2-002:001 as being a parcel containing a portion of the proposed easement.
 - B. Correcting the encumbrances of both Parcels 9 and 40 under Current Use Status in the Remarks Section of the prior Board actions.
2. Except as amended hereby, all terms and conditions as approved on October 14, 2016 and as amended on March 13, 2020 shall remain the same.

Respectfully Submitted,

Wesley Matsunaga

Wesley T. Matsunaga
District Land Agent

KEM

APPROVED FOR SUBMITTAL:

RT

Suzanne D. Case

Suzanne D. Case, Chairperson

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

March 13, 2020

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

PSF No: 16KD-096

KAUAI

Amend Prior Board Action of October 14, 2016, Item D-2, Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative for Utility Purposes; and Immediate Management and Construction Right-of-Entry, Kekaha, Waimea, Kauai, Tax Map Key: (4) 1-2-002: portions of 001, 009, and 040.

The purpose of the amendment is to change the consideration for the easement from a one-time payment of fair market rent as determined by independent appraisal to nominal consideration of \$500.

BACKGROUND:

At its meeting of October 14, 2016, Item D-2, the Board of Land and Natural Resources (Board) approved a grant of perpetual, non-exclusive easement to Kauai Island Utility Cooperative (KIUC) for utility purposes regarding the Mana Drag Strip located at Kekaha, Waimea, Kauai, Tax Map Keys: (4) 1-2-002: portions of 001, 009, and 040. (Exhibit 1). The approved Board action required KIUC to pay for an appraisal to determine a one-time payment of fair market rent for the easement and to pay the rent so determined.

REMARKS:

In further processing of this disposition, staff was made aware that the proposed easement is intended to serve only the State lands on which the Mana Drag Strip is located. Easements to public utilities like KIUC are governed in part by subsection 171-95(b)(1), HRS, which provides that "The sale price or lease rental shall be no less than the value determined in accordance with section 171-17(b); provided that such sale price or lease rental may be on a nominal basis, if the board finds that such easement is required in connection with a government project."

The Legislature appropriated a total of \$2.5 million for two phases of improvements to the drag strip that included: (1) demolition and repaving of approximately $\frac{3}{4}$ mile of the track, installation of underground electrical lines beneath the track, replacement of a

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON
March 13, 2020 Co.

32-foot section of guard rail, and maintenance of a dirt road by lining the road with asphalt and concrete rubble reclaimed during the demolition of the original track; and (2) electrical infrastructure upgrades such as underground wiring, transformers, handholes to support the future installation of stadium-style light poles along the length of the existing race track, extension of overhead power lines by the installation of approximately 26 new power poles from the KIUC distribution system on Kaumualii Highway to the drag strip to provide permanent electrical power to the facility. The drag strip is operated under Revocable Permit No. S-7805 to the Garden Isle Racing Association (GIRA), an Internal Revenue Code Section 501(c)(3) non-profit entity.¹ If the State were to charge fair market value for the easement to KIUC, KIUC would in turn pass that charge along to GIRA.

In view of the foregoing, staff believes the easement to KIUC is required in connection with a government project even though the drag strip operations are under GIRA. KIUC confirms in the letter attached as Exhibit 2 that the proposed easement will only serve the Mana Drag Strip under GIRA's permit. As such, Staff recommends a one-time payment of \$500.00 for the subject easement, pursuant to the policy adopted by the Board at its meeting of May 13, 2005, under agenda item D-19, which states all new dispositions by Land Division shall be subject to a minimum rent of \$500.00 (one-time payment).

In addition, staff recommends the Board reserve the right to revisit the consideration payable, pursuant to Section 171-17(b), HRS, for the requested easement if such easement in the future serves customers other than the GIRA and the Mana Drag Strip.

RECOMMENDATION: That the Board:

1. Amend its prior Board action of October 14, 2016, under agenda item D-2 by changing the consideration from a one-time payment of fair market rent as determined by independent appraisal to a one-time payment of \$500.
2. Confirm that, except as amended hereby, all terms and conditions listed in its October 14, 2016 approval shall remain the same.

Respectfully Submitted,



Wesley T. Matsunaga
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson

¹ On Maui and the Big Island, the raceway parks are managed by the respective counties. Kauai County has, however, declined to accept management responsibility for Mana Drag Strip.

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

October 14, 2016

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

PSF No.: 16KD-096

Kauai

Request for Grant of Perpetual, Non-Exclusive Easement to Kauai Island Utility Cooperative (KIUC) for Utility Purposes; and Immediate Management and Construction Right-of-Entry Permit at por. of Kekaha, Waimea, Kauai, Tax Map Key: (4) 1-2-002:por. of 001, 009 and 040.

APPLICANT:

Kauai Island Utility Cooperative (KIUC) whose business and mailing address is 4463 Pahee Street, Suite 1, Lihue, Hawaii 96766.

LEGAL REFERENCE:

Section 171-13, 17, and 95, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Kekaha situated at Kekaha, Waimea, Kauai, identified by Tax Map Key: (4) 1-2-002:por. of 001, 009 and 040, as shown on the attached map labeled Exhibit A.

AREA:

Tax Map Key: (4) 1-2-002:001 0.350 acres, more or less.*

Tax Map Key: (4) 1-2-002:009 2.711 acres, more or less.*

Tax Map Key: (4) 1-2-002:040 7.740 acres, more or less.*

Total Area: 10.801 acres, more or less.*

*- These are approximate and may vary depending on the location of the poles and how the lines cross over each other. See Exhibit B.

APPROVED BY THE BOARD OF
LAND AND NATURAL RESOURCES
AT ITS MEETING HELD ON

October 14, 2016 Go

EXHIBIT 1

ZONING:

Tax Map Key: (4) 1-2-002:001	State Land Use District:	Conservation
	County of Kauai CZO:	Agriculture
Tax Map Key: (4) 1-2-002:009	State Land Use District:	Agriculture/Conservation
	County of Kauai CZO:	Agriculture
Tax Map Key: (4) 1-2-002:040	State Land Use District:	Conservation
	County of Kauai CZO:	Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Tax Map Key: (4) 1-2-002:por. 001	Encumbered by Governors Executive Order 3695
Tax Map Key: (4) 1-2-002:por. 009	Encumbered by Governors Executive Order 736
	Encumbered by Governors Executive Order 1794
Tax Map Key: (4) 1-2-002:por. 040	Encumbered by Governors Executive Order 1794
	Encumbered by Revocable Permit S-5983
	Encumbered by Revocable Permit S-7805

CHARACTER OF USE:

Right, privilege and authority to construct, use, maintain, repair, replace and remove electrical transmission lines, poles, guy wires and anchors over, under and across State-owned land.

COMMENCEMENT DATE:

To be determined by the Chairperson.

CONSIDERATION:

One-time payment to be determined by independent or staff appraisal establishing fair market rent, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

On April 22, 2016 under item L-1, Board of Land and Natural Resources accepted the final environmental assessment and approval for the issuance of a finding of no significant impact (FONSI) for the proposed Mana Drag Strip electrical and lighting upgrades. See Exhibit C. The Final Environmental Assessment for the subject project was published in the OEQC's Environmental Notice on June 8, 2016 with a finding of no significant impact (FONSI).

See Exhibit D.

DCCA VERIFICATION:

Place of business registration confirmed: YES
Registered business name confirmed: YES
Applicant in good standing confirmed: YES

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Pay for an appraisal to determine one-time payment;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.

REMARKS:

The Board on July 10, 2015, under Item L-1, approved the authorization to issue procurement solicitations and awards of contracts under Hawaii Revised Statutes Chapter 103D for various Capital Improvement Program Projects, which this project was part of.

The Board on April 22, 2016 under Item L-1, accepted the final environmental assessment and approval for the issuance of a finding of no significant impact (FONSI) for the proposed Mana Drag Strip Electrical and Lighting Upgrades. See Exhibit C.

The Final Environmental Assessment for the subject project was published in the OEQC's Environmental Notice on June 8, 2016 with a finding of no significant impact (FONSI). See Exhibit D.

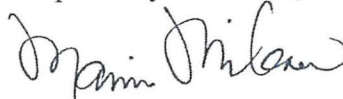
The request for a perpetual, non-exclusive easement and an immediate management and construction right-of-entry permit was brought forth by Land Division as the managing agency for these parcels.

RECOMMENDATION: That the Board:

1. Subject to the Applicant fulfilling all of the Applicant Requirements listed above, authorize the issuance of a perpetual non-exclusive easement to Kauai Island Utility Cooperative covering the subject area for utility purposes, 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 Perpetual easement document form, as may be amended from time to time;
 - B. Review and approval by the Department of the Attorney General; and

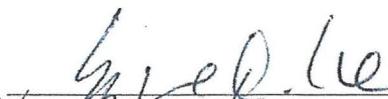
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
- 2. Grant an Immediate Management and Construction Right-of-Entry Permit to KIUC for Access and Utility Purposes, its consultants, contractors and/or persons acting for or on its behalf, 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 management right-of-entry form, as may be amended from time to time;
 - B. The term of the right-of-entry shall commence upon date of that KIUC, returns a copy of the duly executed right-of-entry permit to the Kauai District Land Office and shall expire upon the issuance of the subject set aside document;
 - C. The Department of Land and Natural Resources reserves the right to impose additional terms and conditions at any time if it deems necessary while this right-of-entry is in force; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

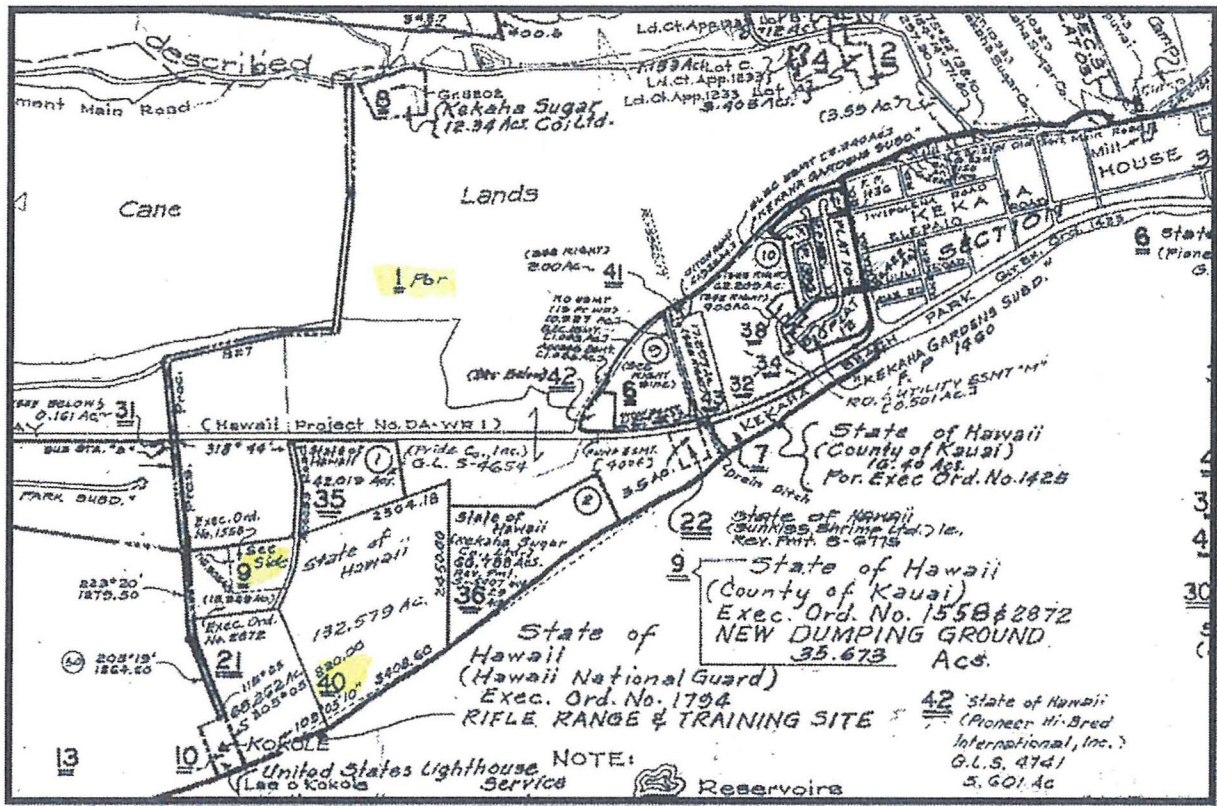


Marvin Mikasa
District Land Agent

APPROVED FOR SUBMITTAL:

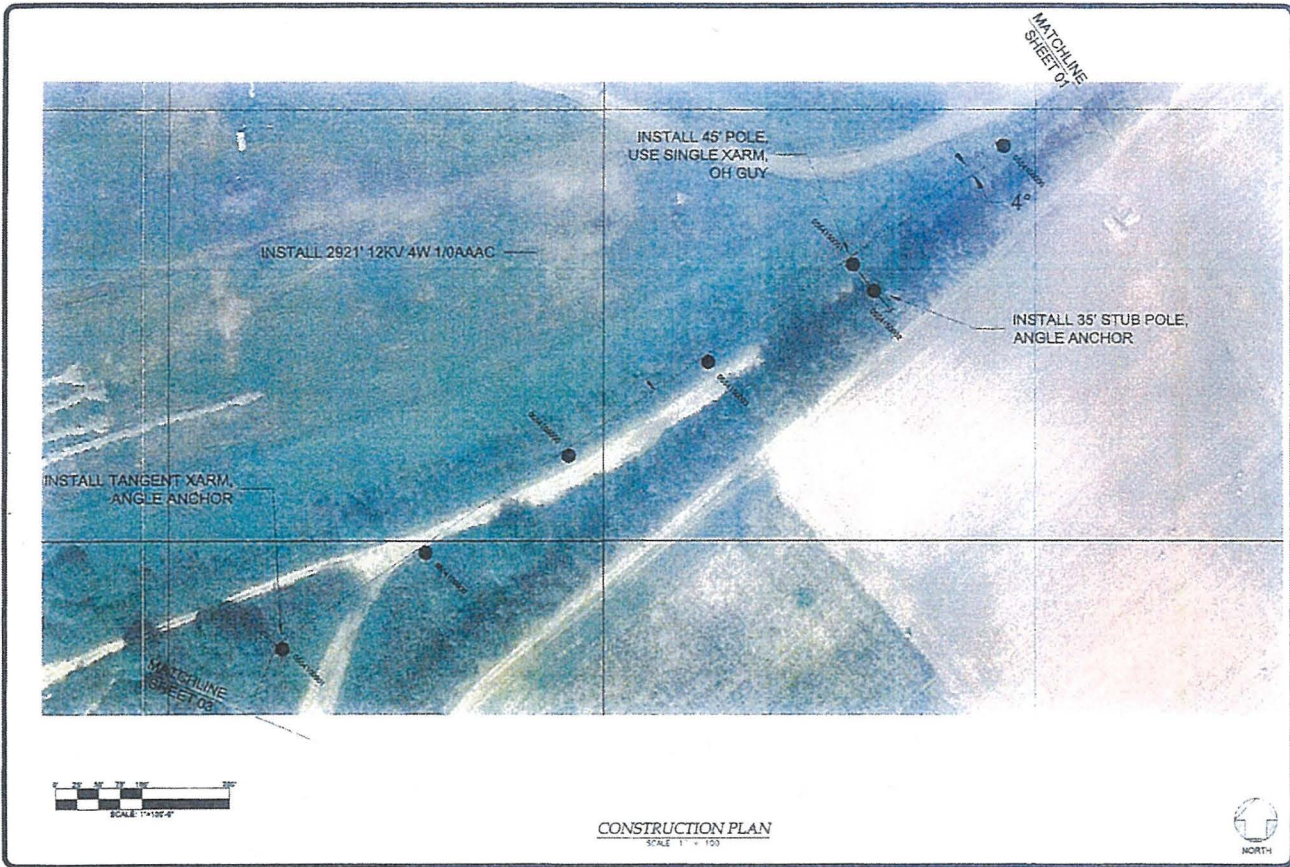


Suzanne D. Case, Chairperson



TMK Nos. (4) 1-2-002: 001, 009 & 040 (portions)

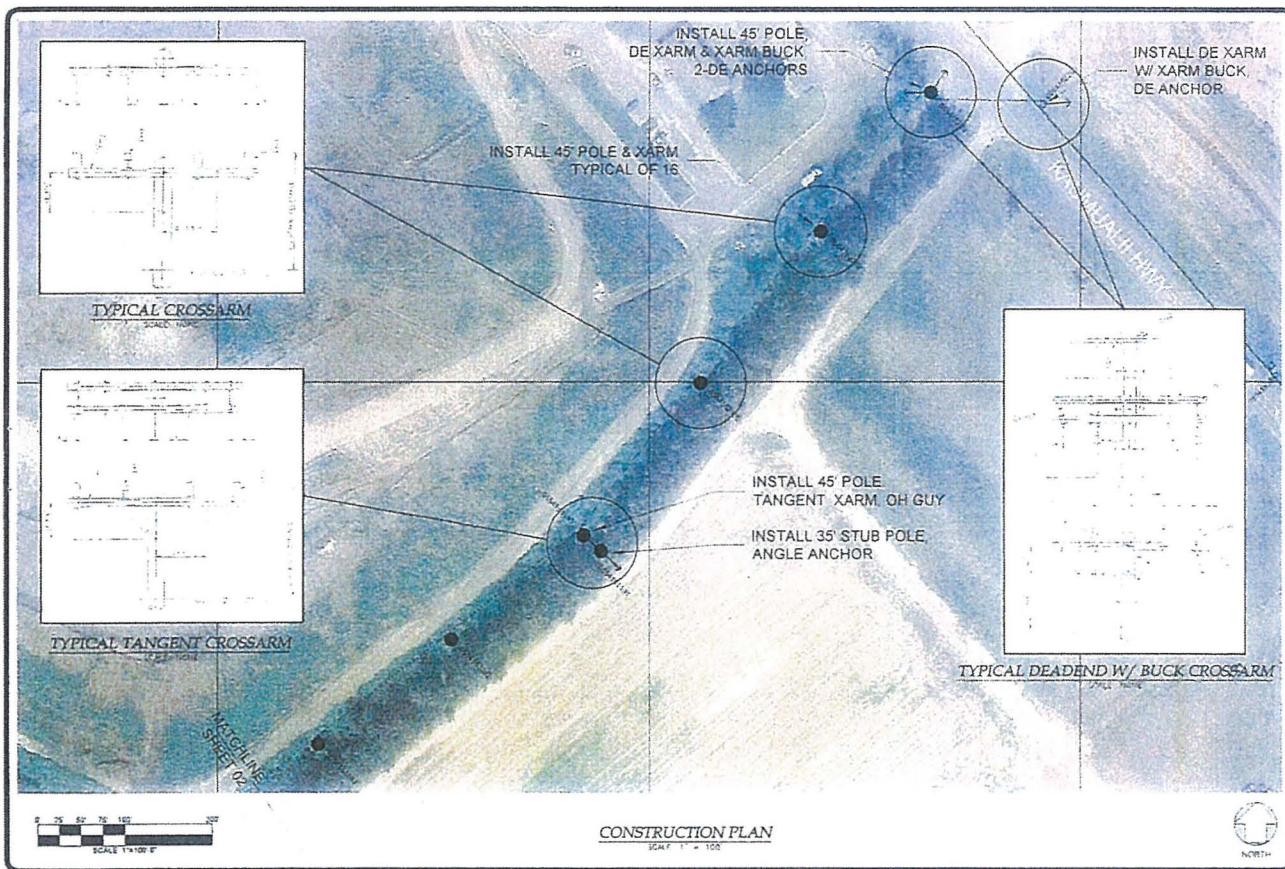
Exhibit A



KAWAI ISLAND UTILITY COOPERATIVE			
MANA DRAG RACING STRIP ELECTRICAL UPGRADES			
Drawn By	ECG	Scale	1" = 120'
Checked By	ECG	Proj. No.	15-0071
Reviewed By	ECG	Drawn By	ECG
Project No.	15-0071	Sheet No.	03
Project Name	MANA DRAG RACING STRIP ELECTRICAL UPGRADES	Sheet Title	
Project Location	MANA DRAG RACING STRIP, KAWAI ISLAND, HI	Project Date	10/1/15

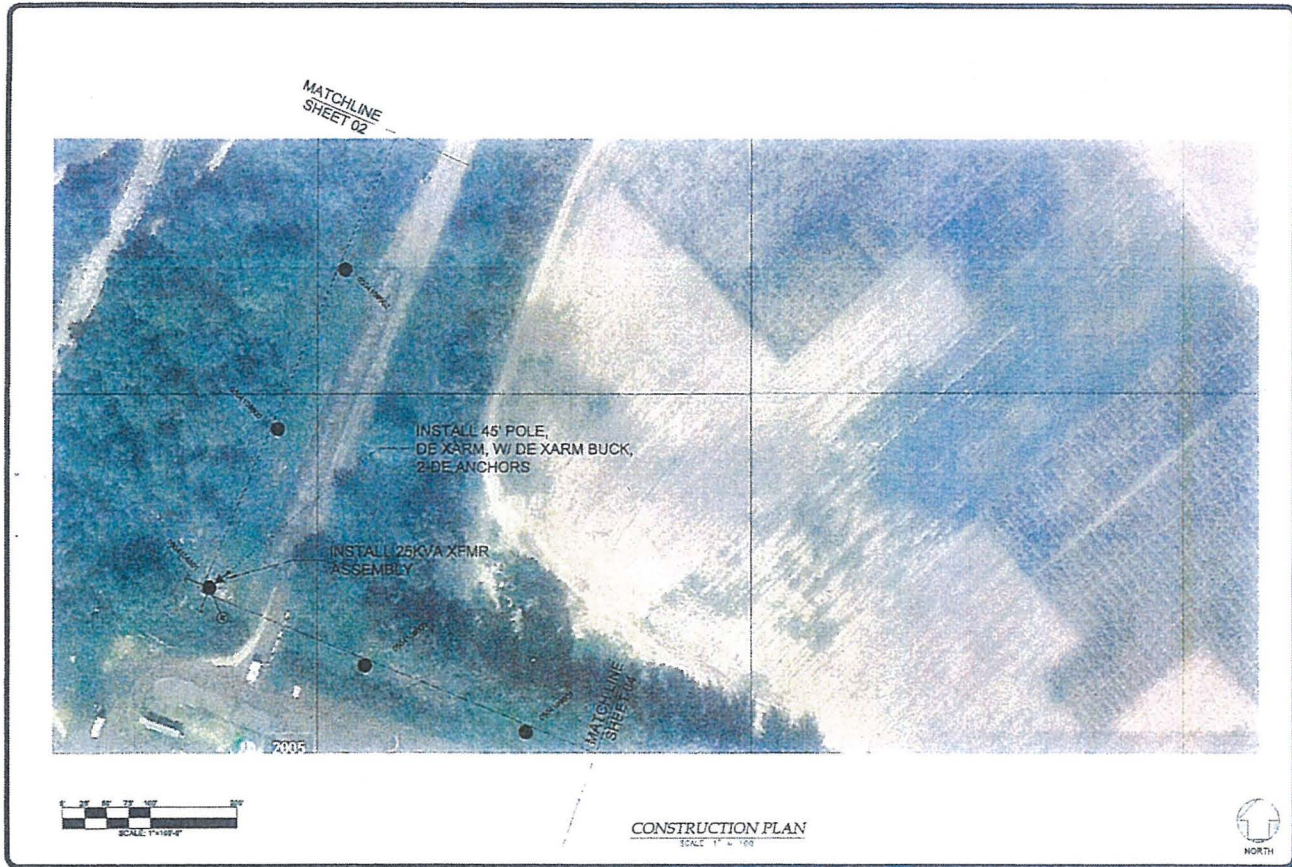
EXHIBIT B

EXHIBIT "B"



KAUI ISLAND UTILITY COOPERATIVE									
PROJECT NO.	100-000000	DATE	10/1/00	DESIGNED BY	10/1/00	CHECKED BY	10/1/00	APPROVED BY	10/1/00
PROJECT NAME	KAUI ISLAND UTILITY COOPERATIVE	PROJECT LOCATION	KAUI ISLAND, HAWAII	PROJECT DESCRIPTION	KAUI ISLAND UTILITY COOPERATIVE	PROJECT STATUS	KAUI ISLAND UTILITY COOPERATIVE	PROJECT OWNER	KAUI ISLAND UTILITY COOPERATIVE
PROJECT NO.	100-000000	DATE	10/1/00	DESIGNED BY	10/1/00	CHECKED BY	10/1/00	APPROVED BY	10/1/00
PROJECT NAME	KAUI ISLAND UTILITY COOPERATIVE	PROJECT LOCATION	KAUI ISLAND, HAWAII	PROJECT DESCRIPTION	KAUI ISLAND UTILITY COOPERATIVE	PROJECT STATUS	KAUI ISLAND UTILITY COOPERATIVE	PROJECT OWNER	KAUI ISLAND UTILITY COOPERATIVE

EXHIBIT "B"



KALAI ISLAND UTILITY COOPERATIVE

MANA DRAG RACING STRIP ELECTRICAL UPGRADES

Client:	Mana Drag Racing Strip	Project No.:	15-001-15
Drawn by:	J. L. L. L.	Scale:	1" = 100'
Checked by:	J. L. L. L.	Date:	11/12/15
Approved by:	J. L. L. L.	Project Manager:	J. L. L. L.
Engineer:	J. L. L. L.	Project Engineer:	J. L. L. L.

11/12/15 11:22:11 AM

EXHIBIT "B"

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

April 22, 2016

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

KAUAI

REQUEST ACCEPTANCE OF THE FINAL ENVIRONMENTAL ASSESSMENT AND
APPROVAL FOR THE ISSUANCE OF A FINDING OF NO SIGNIFICANT IMPACT (FONSI)
FOR THE PROPOSED MANA DRAG RACE STRIP ELECTRICAL AND LIGHTING
UPGRADES, MANA, KAUAI, HAWAII

BACKGROUND:

The Kauai Raceway Park is home to a National Hot Rod Association (NHRA) sanctioned quarter mile race track on land under the jurisdiction of the Department of Land and Natural Resources. The facility – one of only two NHRA sanctioned race tracks in the State – is operated by the Garden Isle Racing Association (GIRA). GIRA is a non-profit corporation which runs monthly events at the Kauai Raceway Park, promoting safe motorsports and responsible street driving.

GIRA hosts monthly events at the park from March to November of each calendar year. During the months from March through September, events are run during the evening; the preferred time for drag race events is in the evening because heat can adversely affect car performance. This time period is outside of the peak seabird fallout period (September 15 to December 15). Lighting during evening events is currently provided by a mixture of street-light style poles and portable lights. Power to the facility is provided by portable generators.

The project proposes the installation of specialized stadium-style, downcasted light poles that will project the lights downward and mauka. This will improve the visibility and safety along the racetrack while providing mitigation measures to protected animals. The project will also reduce reliance on temporary lighting and portable generators.

PROJECT DESCRIPTION AND LOCATION:

The project is located in the Mana area on the southwest shore of Kauai. The Kauai Raceway Park – which includes an existing drag race strip, bleacher seating, control building, parking, pit areas, and other associated facilities – is located on a portion of Tax Map Key (TMK) parcels (4)1-2-002:036 & 040, which are owned by the State of Hawaii and operated by the Garden Isle Racing Association (GIRA) under Revocable Permit No. S-7805. The facility occupies the makai portions of parcels 036 and 040, while agricultural uses occupy the mauka areas of the parcels.

Approved by the Board of
Land & Natural Resources
at the meeting held on
APR 22 2016

ITEM L-1

EXHIBIT "C"

The facility is accessed via a gravel-paved road located on TMK parcel (4)1-2-002:009, which is owned by the State and operated by the Kauai County, Department of Public Works as part of the Kekaha Landfill. The access road is utilized by both the Kekaha Landfill and the Kauai Raceway Park. The access road occupies an approximately 2-acre portion of parcel 009.

The project is located approximately 1 mile northwest of Kekaha on the makai side of Kaumualii Highway (State Route 50). The project site is bordered by the Kekaha Landfill to the northwest, agricultural land uses to the northeast, a shrimp farm to the southeast, and the beach and Pacific Ocean to the Southwest.

The project involves installation of numerous stadium-style light poles. Because of the proximity of the project site to the shoreline, downcast lighting and facing the lights mauka are proposed to mitigate possible adverse effects to the local seabird population. The project will include electrical provisions for installation of a LED scoreboard; an underground electrical connection for the scoreboard will be installed at approximately the quarter-mile point of the race track. The scoreboard itself may be purchased as part of the project, however, will be installed by others at a later date.

In order to provide power to the proposed lighting and scoreboard, overhead electrical lines will be extended from the existing KIUC system on Kaumualii Highway to the project site. The project proposes installation of approximately 0.8 miles of new overhead electrical lines, strung on utility poles installed at a maximum spacing of 200 ft. It is anticipated that 26 utility poles will be installed by the KIUC. The new overhead lines will extend from Kaumualii Highway down the facility access road to the entrance of the Kauai Raceway Park, turn east to run parallel to the drag strip, and finally cross to the makai side of the drag race strip at approximately the halfway point of the track. Our discussions with USFWS and DoFAW regarding mitigation measures to seabird strikes, has resulted in construction of the overhead lines lower than the top of the nearby ironwood trees. Because the treeline is readily visible, it will cause seabirds to fly above the overhead electrical lines and should minimize the chances of bird strikes. From the final overhead utility pole, electrical lines will be run in an underground conduit parallel to the drag race strip. The underground conduit will stretch from the start of the drag race strip to the shoreline setback line. The proposed light poles and scoreboard will draw power from this underground electrical conduit.

The Draft Environmental Assessment has been published by the State of Hawaii, Department of Health, Office of Environmental Quality Control (OEQC) in the July 8, 2015 bulletin and is posted on the OEQC website at http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Kauai/2010s/2015-07-08-KA-5B-DEA-Mana-Drag-Race-Strip-Upgrades.pdf. Attached for your information is the Final Environmental Assessment.

PROJECT SUMMARY:

Project:	Mana Drag Race Strip Electrical and Lighting Upgrades
Agency:	Department of Land and Natural Resources Engineering Division 151 Punchbowl Street, Room 221 Honolulu, Hawaii 96813
Consultant:	The Limtiaco Consulting Group 1622 Kananui Street Honolulu, Hawaii 96817
Tax Map Key(s):	(4) 1-2-002: 009, 036 & 040
Proposed Action:	Installation of approximately 19 stadium-style light poles along the length of the existing drag race strip and provisions for future installation of an LED scoreboard. Overhead electrical lines will be extended from Kaumualii Highway to the facility to provide power to the proposed improvements. The project includes appurtenant electrical facilities such as transformers and underground electrical conduits.
Land Area:	20 acres
State Land Use District:	Conservation District, Limited Subzone
Existing Land Use:	Mana Drag Race Strip
Present Zoning:	Parcel 009 – Conservation Parcel 036 – Agriculture/Conservation Parcel 040 – Conservation
Special Management Area:	Yes
Permits That May be Required:	Conservation District Use Permit (Departmental), County Shoreline Setback Determination, Special Management Area Use Permit, National Pollutant Discharge Elimination System Permit (Section 402, Clean Water Act).

FINDINGS AND REASONS SUPPORTING ANTICIPATED DETERMINATION:

Significance criteria evaluation of the proposed project indicates that there will be no significant adverse effects to the environment. In summary, the project will not:

1. Adversely impact natural or cultural resources.
2. Permanently curtail the beneficial uses of the environment.
3. Conflict with the State's long-term environmental policy goals or guidelines.
4. Have adverse effects to the economic or social welfare of the community or state.
5. Have substantial adverse impacts to public health during project construction activities.
6. Have adverse effects to public facilities.
7. Permanently degrade the environmental quality.
8. Commit resources or energy for a larger action. There are also no cumulative effects on ecosystem resources or human communities based on the project's limited scope and scale.
9. Affect any rare, threatened or endangered species or its habitat. Appropriate mitigation measures have been coordinated with the U.S. Fish and Wildlife Service and the State Division of Forestry and Wildlife.
10. Have detrimental effects to air or water quality or ambient noise levels. As required, any potential impacts to air, water quality, or noise levels will be addressed through the implementation of appropriate mitigation measures in accordance with State and County regulations.
11. Suffer damage by being located in an environmentally sensitive area, such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, freshwater, or coastal waters. The project is located within Flood Zones AE and VE with flood elevations ranging from 8 to 10 feet. As such, the project will comply with National Flood Insurance Program regulations for development within the flood hazard district, as outlined in Title 44, Code of Federal Regulations. A coastal evaluation, completed in April 2015, determined that the proposed improvements are located sufficiently distant from the shoreline such that they will not impact coastal processes. The proposed improvements will be located outside of the County shoreline setback area.
12. Have substantial effects to scenic vistas and view planes identified in county or state plans or studies.
13. Consume a substantial amount of energy.

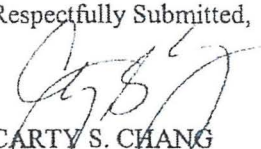
For the reasons above, it is anticipated that the proposed project will not have any significant effect in the context of Chapter 343, Hawaii Revised Statutes and Section 11-200-12 of the Hawaii Administrative Rules.

RECOMMENDATION:

That the Board of Land and Natural Resources:

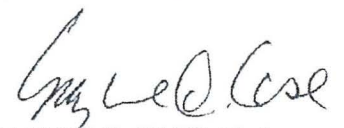
1. Accept the Final Environmental Assessment for the proposed Mana Drag Race Strip Electrical and Lighting Upgrades project.
2. Approve the issuance of a finding of no significant impact (FONSI) for the proposed project. Based on the review of the Final Environmental Assessment and the comments received during the 30-day period in addition to The Limtiaco Consulting Group's responses, find that the project will not have a significant effect on the environmental and cultural resources of the area.
3. Authorize the Chairperson to publish a FONSI for the proposed project in the Office of Environmental Quality Control's "The Environmental Notice", and approve other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



CARTY S. CHANG
Chief Engineer

Approved for Submittal:



SUZANNE D. CASE, Chairperson

Attachment



Office of Environmental Quality Control

THE ENVIRONMENTAL NOTICE

A Semi-Monthly Bulletin published pursuant to
Section 343-3, Hawai'i Revised Statutes

David Y. Ige, Governor

Scott Glenn, Interim Director

235 South Beretania Street, Suite 702 • Honolulu, Hawai'i 96813

Telephone: (808) 586-4185 • Fax: (808) 586-4186

Toll Free: Kauai (800) 274-3141, ext. 64185

Molokai/Lanai (800) 468-4644, ext. 64185

Hawai'i (800) 974-4000, ext. 64185

Maui (800) 987-2400, ext. 64185

Email: oeqchawaii@doh.hawaii.gov

Website: <http://health.hawaii.gov/oeqc>

June 8, 2016

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i as mandated under [Section 343-3, Hawai'i Revised Statutes](#) (HRS), the Environmental Impact Statement Law. Along with publishing Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for projects in Hawai'i, The Environmental Notice also includes other items related to the shoreline, coastal zone, and federal activities.

EPA Environmental Justice (EJ) Strategy Available for Public Review

The EJ 2020 Action Agenda strategy for 2016-2020 is available for comment.

Building on Plan EJ 2014, this strategy draws upon input from governmental partners and external stakeholders to address the real environmental challenges that are facing American communities.

For more information and to review the final draft of EJ 2020, please visit EPA's [EJ 2020 website](#).

The public comment period is from **May 23, 2016 to July 7, 2016**. Please submit written comments ejstrategy@epa.gov, or via mail to **Charles Lee**, Deputy Associate Assistant Administrator for Environmental Justice - USEPA, Office of Environmental Justice (2201-A) 1200 Pennsylvania Avenue, NW Washington, DC 20460.

Environmental Council

The Environmental Council is meeting in June, date to be determined. The meeting will be held in the Leiopapa A Kamehameha Building, 235 S. Beretania Street, 15th Floor Conference Room. Please check the Lt. Governor's [website](#) for date.

World Oceans Day is June 8 (www.worldoceansday.org)

Hōkūle'a arrived in New York City for World Oceans Day (June 8). Navigator and President of the Polynesian Voyaging Society Nainoa Thompson will present ocean protection declarations gathered during the voyage. Governor Ige's Chief of Staff Mike McCartney, Honolulu Mayor Kirk Caldwell, Hawai'i Island Mayor Billy Kenoi, Kauai Mayor Bernard Carvalho, as well as other leaders of Hawai'i will speak at the United Nations about Hawai'i's commitment to Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources. Hawai'i's *Aloha+ Challenge* is an innovative model to achieve this goal.

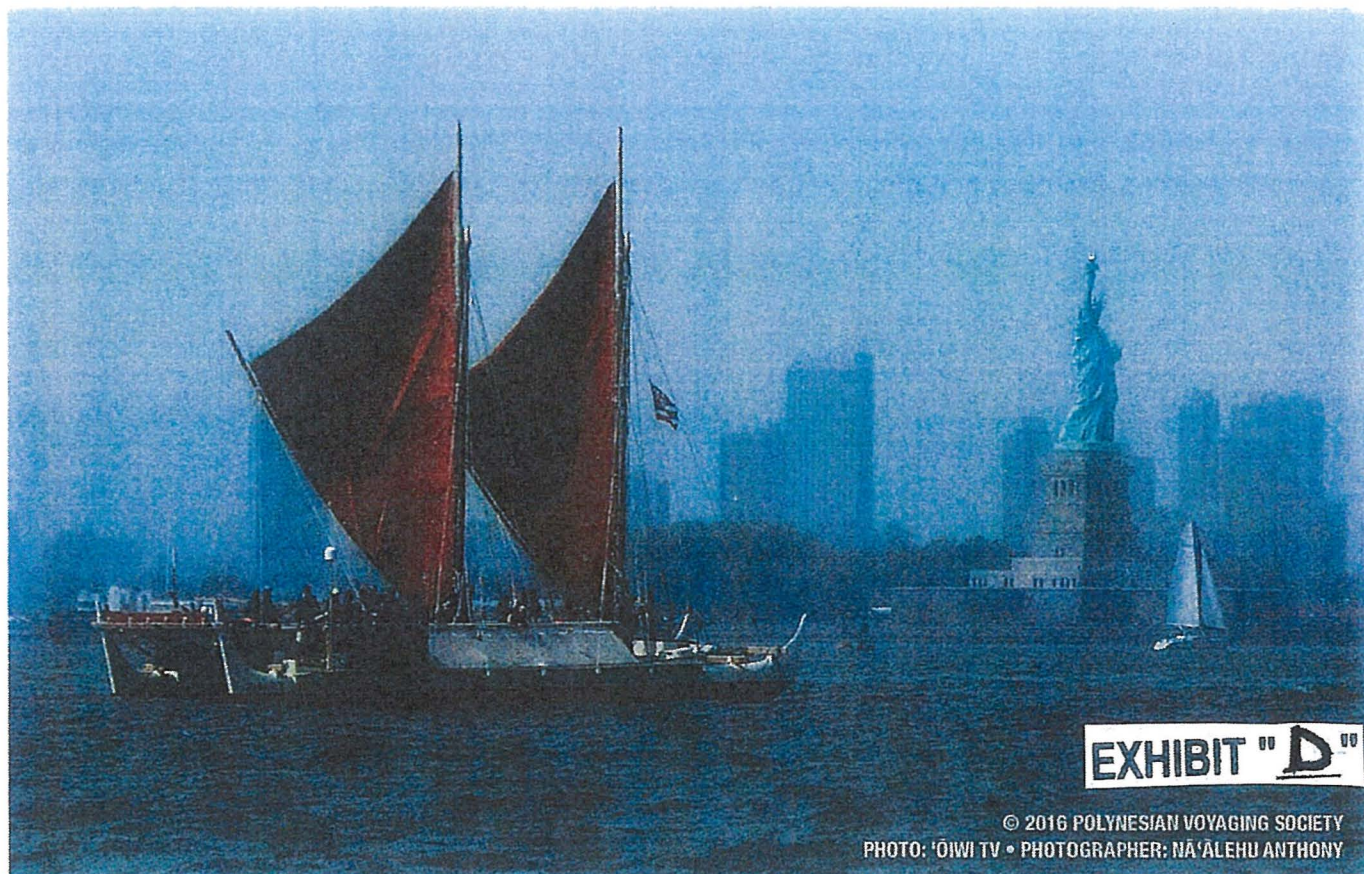


EXHIBIT "D"

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PHOTO: 'ŌIWI TV • PHOTOGRAPHER: NA'ALEHU ANTHONY

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STATEWIDE MAP OF NEW HRS CHAPTER 343 PROJECTS

Mana Drag Strip

Recycling Facility
Hawaii Dairy Farms

Makaha Beach Landing
Waianae Elementary
Waianae HS Bleachers
Park Kalia-Waikiki Condo

Hoolehua Water System

Honuaula Community HCP

Lalamilo Wind Farm HCP

Kona Airport Telecom

Palila Trail

Kealakehe Salvage

Pakini Nui Wind Farm HCP

LEGEND

New document count in this issue: 14 Total

- — HRS Chapter 343-5(b) Agency Action: 7
- — HRS Chapter 343-5(e) Applicant Action: 4
- — Habitat Conservation Plan: 3

HAWAII

1. Former Kealakehe Metal Salvage Facility Remediation and Closure FEA (FONSI)

HRS §343-5

Trigger(s): Use of State land, use of State and County funds, land classified as conservation district

District: North Kona

TMK: 7-4-020:16 (portions of)

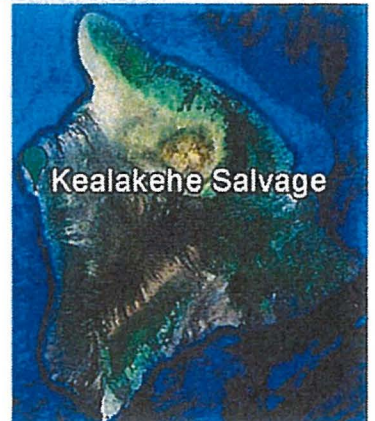
Permits: NPDES, grading permit, conservation district use application

Proposing/
Determining

Agency: County of Hawai'i, Department of Environmental Management
BJ Leithead Todd, Director, (808) 961-8083 cohdem@hawaiicounty.gov
345 Kekūānāo'a Street, Ste. 41, Hilo, HI 96720

Consultant: Integral Consulting Inc.
Dennis Poma (808) 739-7055 dpoma@integral-corp.com
94-515 Uke'e Street Suite 301, Waipahu, HI 96797

Status: Finding of No Significant Impact (FONSI) determination; comments are not taken on this action.



5. Mānā Drag Race Strip Electrical and Lighting Upgrades Resubmitted FEA (FONSI)**HRS §343-5**

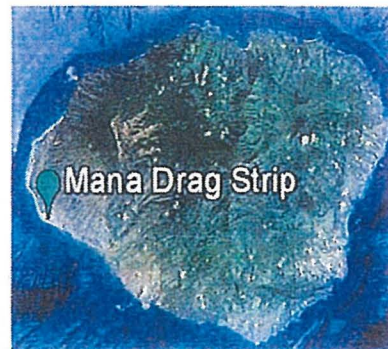
Trigger(s): (1) Use of State lands and funds (2) Use within conservation district
District: Waimea
TMK: (4) 1-2-002: 009, 036 & 040
Permits: Conservation District Use Permit, Shoreline Setback Determination, Special Management Area Permit, National Pollutant Discharge Elimination System Permit

**Proposing/
Determining**

Agency: State of Hawai'i, Department of Land and Natural Resources,
Engineering Division, Adrian Chang (808) 587-0260
adrian.n.chang@hawaii.gov
1151 Punchbowl Street, Room 221, Honolulu, HI 96813

Consultant: The Limtiaco Consulting Group
Kyle Kaneshiro (808) 596-7790 kyle@tlcghawaii.com
1622 Kananui Street, Honolulu, HI 96817

Status: Finding of No Significant Impact (FONSI) determination; comments are not taken on this action.



The State of Hawai'i, Department of Land and Natural Resources (DLNR), in cooperation with the Garden Isle Racing Association (GIRA), proposes electrical and lighting improvements at the Kaua'i Raceway Park (KRP) located in Mana, Kaua'i, Hawai'i. The KRP does not currently have a permanent electrical power connection; portable generators are brought to the site to power lighting, electrical equipment, and mechanical equipment for GIRA's monthly race events at the facility. A mixture of temporary lighting and street-light style light poles are currently used to light the facility for evening events.

The proposed electrical and lighting improvements include installation of approximately 19 stadium-style light poles along the length of the existing race track. The lighting will be downcast to mitigate potential adverse effects to the local seabird population. Additionally, overhead power lines will be extended from the Kaua'i Island Utility Cooperative distribution system on Kaunualii Highway to the KRP to provide permanent electrical power to the facility. The project will increase visibility at the facility during evening events, providing a safer and more enjoyable experience for participants. The project will also reduce the KRP reliance on temporary lighting and portable generators. This FEA/FONSI has been resubmitted for publication after being approved by the BLNR.



February 14, 2020

In Reply refer to:
File #15-04-100BG

Mr. Wesley T. Matsunaga
Kauai District Land Agent
Department of Land & Natural Resources
3060 Eiwa Street, Room 208
Lihue, HI 96766

SUBJECT: EASEMENT AT MANA DRAG STRIP
TMK: (4) 1-2-002:040

Dear Mr. Matsunaga,

This letter is to inform you that the easement for the power lines at the Mana Drag Strip will not be used to service other Kauai Island Utility Cooperative (KIUC) customers. In the event a customer request service from KIUC, the customer will be informed to obtain and seek an additional easement from the State of Hawaii, Department of Land and Natural Resources.

This easement for the sole purpose of serving the Mana Drag Strip only is not customary requirement and does not represent future easement requirements from others. Please proceed with finalizing the electrical easement for Mana Drag Strip. We understand this easement will be gratis to KIUC.

Should you have any questions or need anything further, please contact me at (808) 246-4370 or via email at fpascual@kiuc.coop

Very truly yours,

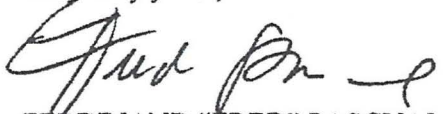

FERDINAND "FRED" PASCUAL
Distribution Planning Coordinator

EXHIBIT 2

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