



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

IN REPLY REFER TO:

October 28, 2020

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 Authorization to Acquire Land for the Department of Transportation, Highways Division, for Highway Purposes, Relating to Honoapiilani Highway Realignment, Phase 1A, Project No. NH-030-1(35), at Lahaina, Maui, State of Hawaii, Tax Map Key Nos. (2) 4-5-15: 008 and (2) 4-5-15: 010.

MAUI

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 Honoapiilani Highway Realignment, Phase 1A, Project No. NH-030-1(35), at Lahaina, Maui, State of Hawaii, as shown and described on the enclosed maps labeled collectively as Exhibit A.

ZONING:

Tax Map Key No. (2) 4-5-15: 008	Agricultural
Tax Map Key No. (2) 4-5-15: 010	Agricultural

OWNERSHIP:

Tax Map Key No. (2) 4-5-15: 008	Kahoma Land, LLC, et al.
Tax Map Key No. (2) 4-5-15: 010	Kahoma Land, LLC, et al.

COMPENSATION:

The parcels' fair market value will be determined by an independent appraiser (contracted for by the State of Hawaii) or a staff appraiser. Compensation to the landowners may exceed the appraisal to the extent allowed by §171-30 (e), Hawaii Revised Statutes.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

A Chapter 343, Hawaii Revised Statutes Final Environmental Assessment and Finding of No Significant Impact for the proposed action was published by the State of Hawaii, Office of Environmental Quality Control on December 23, 2015.

REMARKS:

The project responds to a number of regional and local conditions affecting long-term transportation and land use planning in this region, such as shoreline erosion and coastal hazards, projected future increase of congestion within the project corridor, and overall long-range transportation planning. Overall, the primary purpose is to provide benefits towards preservation of the State highway system for coastal hazards while also providing enhanced capacity between Central Maui and West Maui.

The DOT completed the construction of Honoapiilani Highway Realignment, Phase 1A, Federal Aid Project No. NH-030-1(35) on March 14, 2013 and is formally closing out the project. 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.

Ms. Suzanne D. Case, Chairperson  
October 28, 2020  
Page 3

RECOMMENDATION:

That the Board:

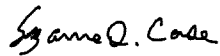
- A. Authorize the acquisition of the subject lands subject to an appropriate conveyance document, as reviewed and approved by the Department of the Attorney General and by the Department of Transportation.
  
- B. Authorize the acquisition even in the event of a change in the ownership or tax map key number of those lands 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:



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SUZANNE D. CASE, Chairperson

Enclosure

PROJECT NO. 55	DATE PLAN 9/2
DRAWN BY J. J. MOYER	FIELD NO. 8608
CHECKED BY J. J. MOYER	CAL. FILE NO. 597
DATE DRAWN 11/10/21	CERT. FILE NO. 537
DIST. NO. 13	SECTION NO. 36

13875  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13876  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13877  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

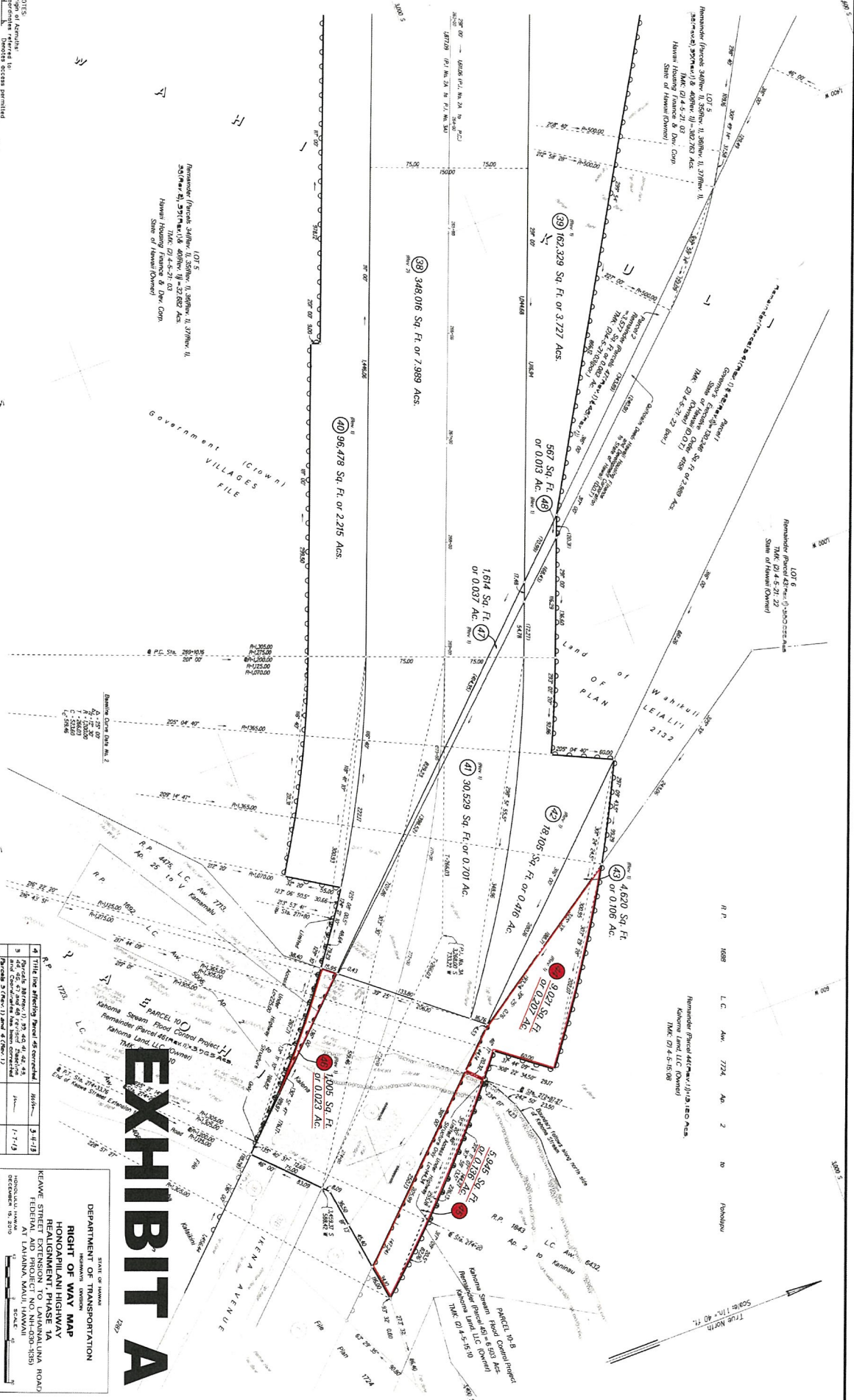
13878  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13879  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13880  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13881  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant

13882  
 Origin of Acquisitions  
 C - Conveyance referred to herein permitted  
 D - Deed  
 I - Inheritance  
 L - Lease  
 M - Mortgage  
 R - Right of Way  
 S - State of Hawaii  
 T - Title  
 U - Unknown  
 W - Warrant



NO.	DESCRIPTION	DATE
1	Right of Way	5/18/12
2	Right of Way	1-7-12
3	Right of Way	8-24-12
4	Right of Way	5/18/12
5	Right of Way	5/18/12
6	Right of Way	5/18/12
7	Right of Way	5/18/12
8	Right of Way	5/18/12
9	Right of Way	5/18/12
10	Right of Way	5/18/12

# EXHIBIT A

STATE OF HAWAII  
 DEPARTMENT OF TRANSPORTATION  
 HONOLULU  
**RIGHT OF WAY MAP**  
 HONOKAHIKI HIGHWAY  
 FROM KEAWA STREET TO KALANANAKUI AVENUE  
 FEDERAL AID PROJECT NO. HI-030-150  
 HONOLULU, HAWAII  
 DECEMBER 15, 2010  
 APPROVED: [Signature]  
 APPROVED: [Signature]  
 SHEET NO. 4A OF 4 SHEETS

P.H. 788



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

IN REPLY REFER TO:

October 26, 2020

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) Acquisition of Lands and Restrictions of Access to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kaumualii, Highway Widening, Lihue to Maluhia Road, Phase 1 Lihue to West of Kipu Road, Federal Aid Project No. STP-050-1(26), at Lihue, Island of Kauai, State of Hawaii, Tax Map Key Nos. (4) 3-4-007: 008, (4) 3-4-007: 009, (4) 3-4-007: Portion of 003, (4) 3-3-004: Portion of 020, (4) 3-3-004: Portion of Nani Street, (4) 3-3-011: Portion of 005, (4) 3-3-011: Portion of 006, (4) 3-3-011: Portion of 007, (4) 3-3-011: Portion of 008, (4) 3-3-004: Portion of 019, and (4) 3-3-006: Portion of 019; and (2) Grant of Perpetual, Non-Exclusive Easements to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Kaumualii, Highway Widening, Lihue to Maluhia Road, Phase 1 Lihue to West of Kipu Road, Federal Aid Project No. STP-050-1(26), at Lihue, Island of Kauai, State of Hawaii, Tax Map Key Nos. (4) 3-4-7: Portions of 003, (4) 3-3-004: Portion of 020, (4) 3-3-003: Portion of 043, (4) 3-3-006: Portions of 019, (4) 3-4-007: Portion of 002, (4) 3-3-006: Portion of 015, and (4) 3-3-003: Portion of Nuhou Street.

OAHU

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:

Lands and portion of lands relating to Kaumualii Highway Widening, Lihue to Maluhia Road, Phase 1 Lihue to West of Kipu Road, Federal Aid Project No. STP-050-1(26), at Lihue, Island of Kauai, State of Hawaii, as shown and described on the enclosed maps labeled as Exhibit A.

AREA:

<u>Parcels:</u>	<u>Tax Map Key Nos.:</u>
Parcel 10 = 140,274 square feet or 3.220 acres (Together with Abutter's Rights of Access)	(4) 3-4-007: 008
Parcel 11 = 120,265 square feet or 2.761 acres (Together with Abutter's Rights of Access) (Also together with Abutter's Rights of Access)	(4) 3-4-007: 009 (4) 3-4-007: 003
Parcel 13 = 17,164 square feet (Together with Abutter's Rights of Access) (Also together with Abutter's Rights of Access)	(4) 3-3-004: 020
Parcel 14 = 4,301 square feet (Together with Abutter's Rights of Access)	(4) 3-3-004: Nani Street
<u>Easements:</u>	
Easement 9 = 1,059 square feet (For Drainage Purposes)	(4) 3-4-007: 003
Easement 11 = 8,027 square feet (For Slope Purposes)	(4) 3-3-004: 020
Easement 14 = 2,400 square feet (For Drainage Purposes)	(4) 3-4-007: 003
Easement 15 = 2,901 square feet (For Drainage Purposes)	(4) 3-3-003: 043
Easement 20 = 1,268 square feet (For Slope Purposes)	(4) 3-3-006: 019
Easement 30 = 2,941 square feet (For Drainage Purposes)	(4) 3-4-007: 002
Easement 33 = 9,486 square feet (For Slope Purposes)	(4) 3-3-006: 015
Easement 34 = 7,396 square feet (For Slope Purposes)	(4) 3-3-006: 019
Easement 39 = 7,073 square feet (For Traffic Signal Purposes)	(4) 3-3-003: Nuhou Street

Boundaries:

Boundary 4 = 685.17 feet	(4) 3-3-011: 005
Boundary 5 (Rev.1) = 66.00 feet	(4) 3-3-011: 006
Boundary 6 (Rev.1) = 136.42 feet	(4) 3-3-011: 007
Boundary 7 (Rev.1) = 118.98 feet	(4) 3-3-011: 008
Boundary 8 (Rev.1) = 231.85 feet	(4) 3-3-004: 019
Boundary 15 (Rev.1) = 20.00 feet	(4) 3-3-006: 019

ZONING:

Tax Map Key No. (4) 3-4-007: 008	Agricultural
Tax Map Key No. (4) 3-4-007: 009	Agricultural
Tax Map Key No. (4) 3-4-007: 003	Agricultural
Tax Map Key No. (4) 3-3-004: 020	Open
Tax Map Key No. (4) 3-3-004: Nani Street	Open
Tax Map Key No. (4) 3-3-003: 043	Commercial
Tax Map Key No. (4) 3-3-006: 019	Commercial
Tax Map Key No. (4) 3-4-007: 002	Agricultural
Tax Map Key No. (4) 3-3-006: 015	Commercial
Tax Map Key No. (4) 3-3-003: Nuhou Street	Commercial
Tax Map Key No. (4) 3-3-011: 005	Commercial
Tax Map Key No. (4) 3-3-011: 006	Commercial
Tax Map Key No. (4) 3-3-011: 007	Commercial
Tax Map Key No. (4) 3-3-011: 008	Commercial
Tax Map Key No. (4) 3-3-004: 019	Commercial

CURRENT USE STATUS:

Highway and maintenance purposes.

Current ownership is as follows:

Parcels:

Parcel 10

Parcel 11

Also together with Abutter's Rights of Access

Fee owner = University of Hawaii

Tax Map Key Nos.:

(4) 3-4-007: 008

(4) 3-4-007: 009

(4) 3-4-007: 003

Parcel 13

Parcel 14

Fee owner = County of Kauai

(4) 3-3-004: 020

(4) 3-3-004: Nani Street

Easements:

Easement 9 and 14 (4) 3-4-007: 003  
Easement 30 (4) 3-4-007: 002  
Fee owner = University of Hawaii

Easement 11 (4) 3-3-004: 020  
Easement 15 (4) 3-3-003: 043  
Fee owner = County of Kauai

Easement 20 (4) 3-3-006: 019  
Easement 33 (4) 3-3-006: 015  
Easement 34 (4) 3-3-006: 019  
Fee owner = Kukui Grove Center Investment Group, Inc.

Easement 39 (4) 3-3-003: Nuhou Street  
Fee owner = Grove Farm Properties, Inc.

Boundaries:

Boundary 4 (4) 3-3-011: 005  
Fee owner = Grove Farm Properties, Inc.

Boundary 5 (Rev. 1) (4) 3-3-011: 006  
Boundary 6 (Rev. 1) (4) 3-3-011: 007  
Boundary 7 (Rev. 1) (4) 3-3-011: 008  
Boundary 8 (Rev. 1) (4) 3-3-004: 019  
Fee owner = Grove Farm Company, Inc.

Boundary 15 (Rev. 1) (4) 3-3-006: 019  
Fee owner = Kukui Grove Center Investment Group, Inc.

COMPENSATION:

The compensation for Parcels 10, 11, Easements 9, 14, 20, 23, 30, 34, Boundaries 4, 5 (Rev. 1), 6 (Rev. 1), 7 (Rev. 1), 8 (Rev. 1) and 15 (Rev. 1) were determined by an appraisal report prepared by an independent appraiser. The compensation for Easement 39 was determined by a compensation estimate prepared by our in-house staff appraiser. Parcels 13, 14, Easements 11 and 15 were gratis and compensation is not required. Compensation to landowners may exceed the appraisal to the extent allowed by §171-30 (e), Hawaii Revised Statutes.



CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

A Chapter 343, Hawaii Revised Statutes Final Environmental Assessment and Finding of No Significant Impact for the proposed action was published by the State of Hawaii, Office of Environmental Quality Control on August 23, 2000.

REMARKS:


The Department of Transportation (DOT) completed the construction of Kaumualii, Highway Widening, Lihue to Maluhia Road, Phase 1 Lihue to West of Kipu Road, Federal Aid Project No. STP-050-1(26), but did not finalize all of its land, restriction of access, and easement acquisitions for the project. 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:

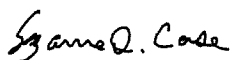
- A. Authorize the acquisition of the subject lands and restrictions of access subject to an appropriate conveyance document, as reviewed and approved by the Department of the Attorney General and by the Department of Transportation.
- B. Authorize the acquisition of the subject perpetual, non-exclusive easements subject to an appropriate perpetual easement form, as reviewed and approved by the Department of the Attorney General and by the Department of Transportation.
- C. Authorize the acquisition even in the event of a change in the ownership of those parcels, easements, and boundaries 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

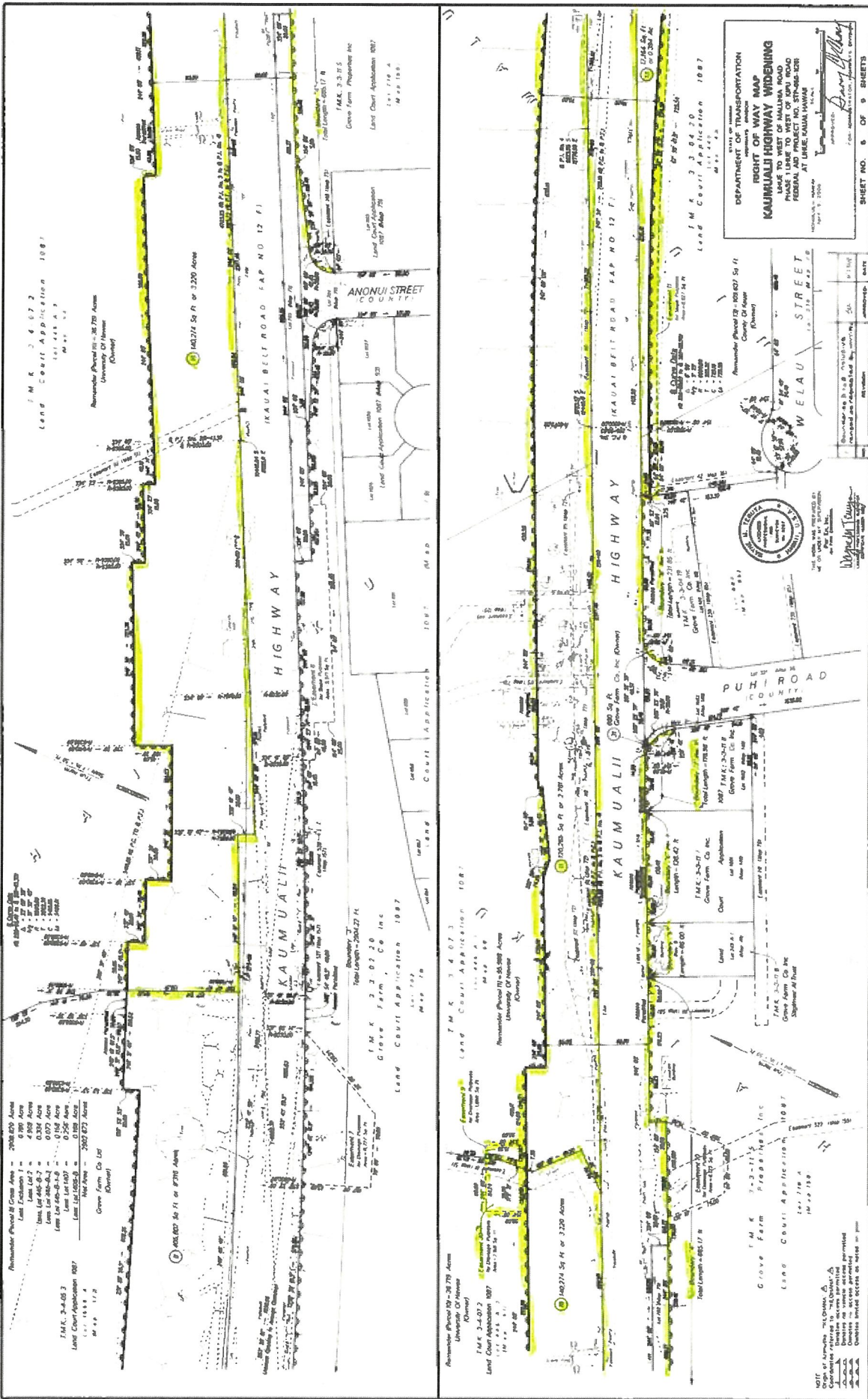
APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson  
Enclosure





I.M.K. 3-4-07-2  
 Land Court Application 1087  
 161,415 S.F.  
 M.S. 11.4  
 Remainder Parcel 10 - 36,770 Acres  
 University Of Hawaii  
 (County)

Remainder Parcel 10 - 36,770 Acres  
 University Of Hawaii  
 (County)  
 I.M.K. 3-4-07-2  
 Land Court Application 1087  
 161,415 S.F.  
 M.S. 11.4

I.M.K. 3-3-07-20  
 Grove Farm, Co. Inc.  
 Land Court Application 1087  
 161,415 S.F.  
 M.S. 11.4

I.M.K. 3-4-07-3  
 Land Court Application 1087  
 161,415 S.F.  
 M.S. 11.4  
 Remainder Parcel 10 - 36,770 Acres  
 University Of Hawaii  
 (County)

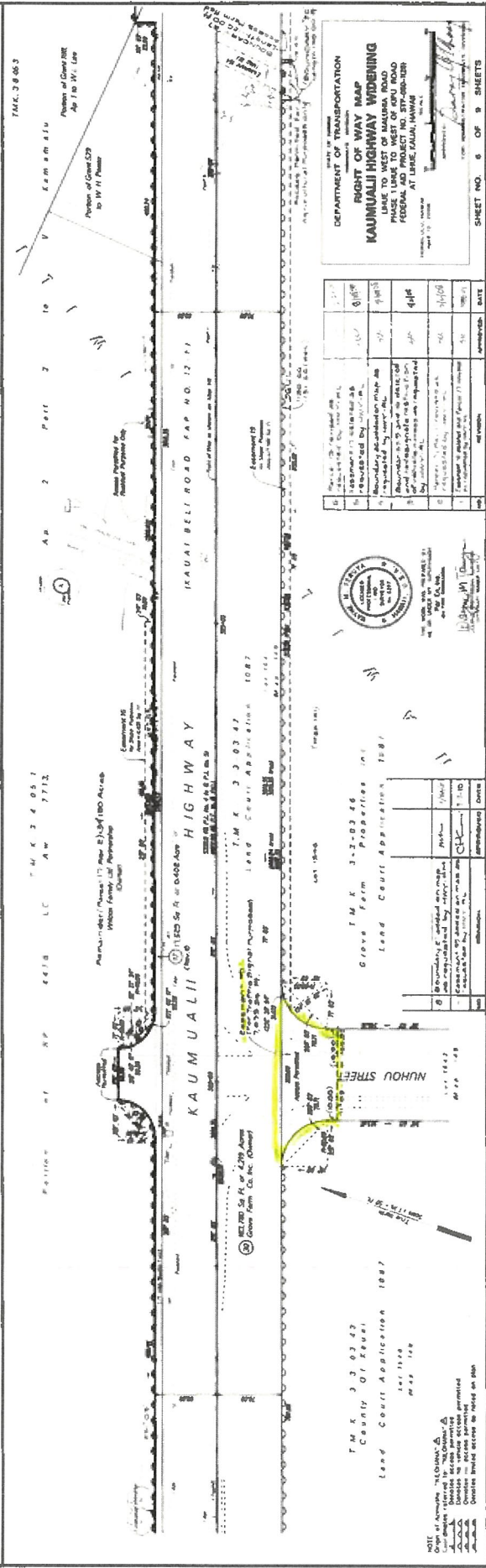
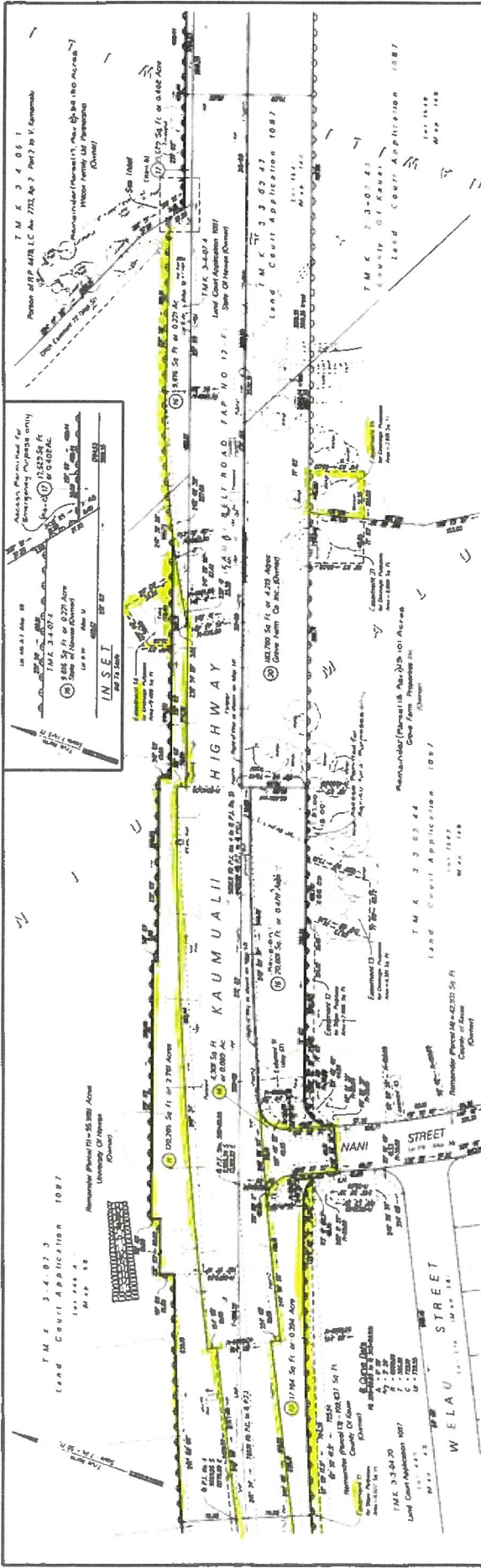
I.M.K. 3-3-07-8  
 Grove Farm, Co. Inc.  
 Land Court Application 1087  
 161,415 S.F.  
 M.S. 11.4

DEPARTMENT OF TRANSPORTATION  
 RIGHT OF WAY MAP  
 KAUMUALII HIGHWAY WIDENING  
 PHASE I LIKE TO WEST OF MAUNA ROAD  
 FEDERAL AID PROJECT NO. ST-105-1-121  
 AT KAUMUALII, HAWAII  
 DATE: 1968  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

SHEET NO. 5 OF 9 SHEETS  
 P.H. 780

NOTE: 1. All dimensions are in feet and inches.  
 2. All bearings are true bearings.  
 3. All areas are in acres and square feet.  
 4. All distances are in feet and inches.  
 5. All bearings are true bearings.  
 6. All areas are in acres and square feet.  
 7. All distances are in feet and inches.

1/4" = 1' Scale	1/8" = 1' Scale	1/16" = 1' Scale	1/32" = 1' Scale
1/4" = 1' Scale	1/8" = 1' Scale	1/16" = 1' Scale	1/32" = 1' Scale
1/4" = 1' Scale	1/8" = 1' Scale	1/16" = 1' Scale	1/32" = 1' Scale
1/4" = 1' Scale	1/8" = 1' Scale	1/16" = 1' Scale	1/32" = 1' Scale



NO.	REVISION	DATE
1	As Shown	10/1/87
2	As Shown	10/1/87
3	As Shown	10/1/87
4	As Shown	10/1/87
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6	As Shown	10/1/87
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8	As Shown	10/1/87
9	As Shown	10/1/87
10	As Shown	10/1/87

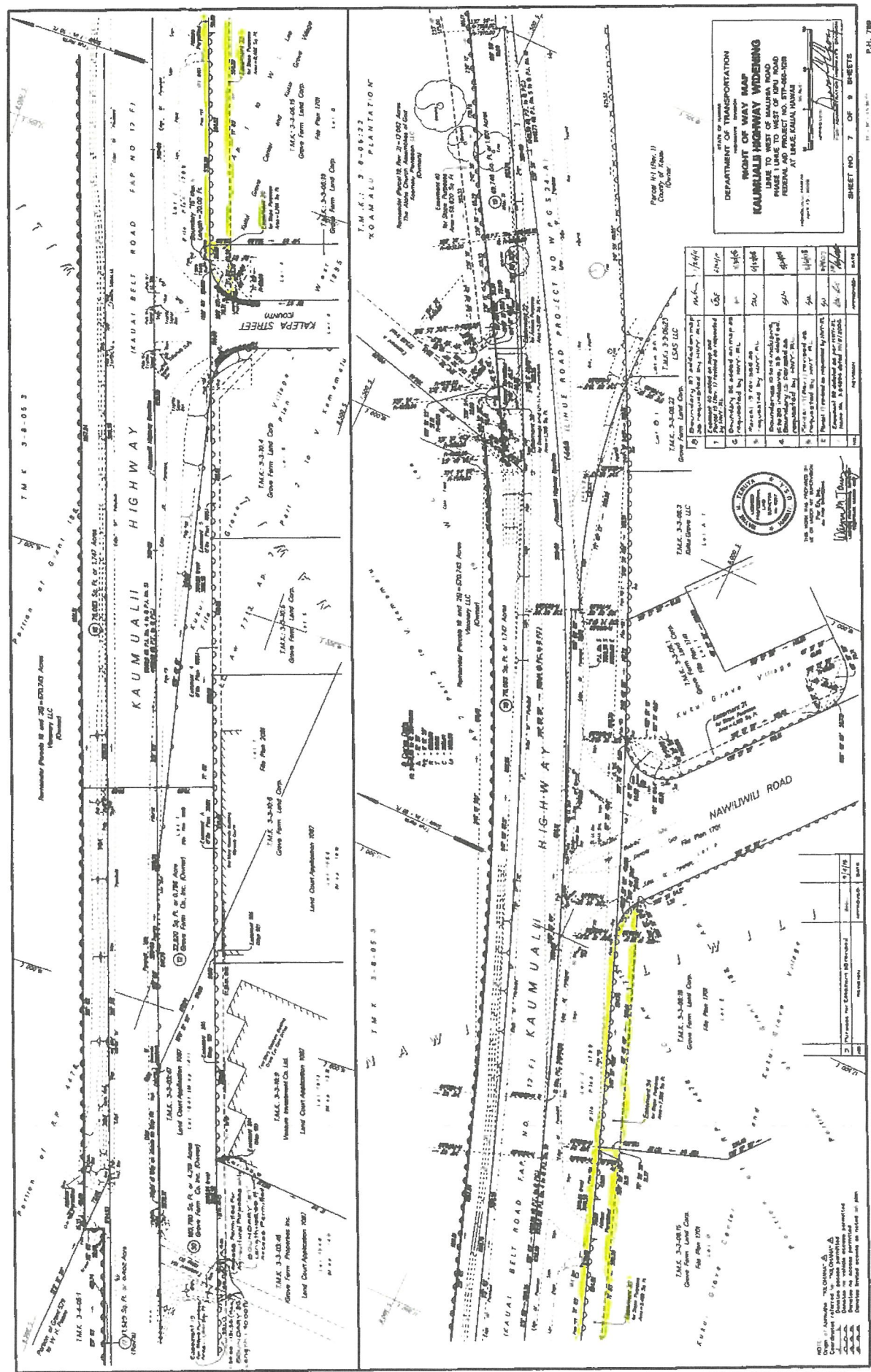
NO.	REVISION	DATE
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10	As Shown	10/1/87

NO.	REVISION	DATE
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NO.	REVISION	DATE
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6	As Shown	10/1/87
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NO.	REVISION	DATE
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6	As Shown	10/1/87
7	As Shown	10/1/87
8	As Shown	10/1/87
9	As Shown	10/1/87
10	As Shown	10/1/87

NOTE: 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 2. ALL DISTANCES ARE MEASURED ALONG THE CENTERLINE OF THE ROAD.  
 3. ALL CORNER BEARS ARE TO BE SET AND MARKED AS SHOWN.  
 4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.  
 5. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.



STATE OF HAWAII  
 DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY MAP**  
**KAUNUALII HIGHWAY WIDENING**  
 LINE TO WEST OF MAUIA ROAD  
 PHASE I BACK TO STATE HIGHWAY  
 PROJECT NO. W P 524 A  
 AT KAUNUALII, HAWAII

NO.	DESCRIPTION	DATE	BY	FOR
1	Prepared by the Department of Transportation	11/16/11	W. J. ...	...
2	...	...	...	...
3	...	...	...	...
4	...	...	...	...
5	...	...	...	...
6	...	...	...	...
7	...	...	...	...
8	...	...	...	...
9	...	...	...	...
10	...	...	...	...



NO.	DESCRIPTION	DATE	BY	FOR
1	...	...	...	...
2	...	...	...	...

NOTE: 1. All areas shown on this map are subject to the provisions of the applicable laws and regulations of the State of Hawaii.  
 2. The Department of Transportation is not responsible for any errors or omissions in this map.  
 3. The Department of Transportation is not responsible for any damages or injuries resulting from the use of this map.  
 4. The Department of Transportation is not responsible for any claims or lawsuits filed against it.