

DAVID Y. IGE  
GOVERNOR



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

JADE T. BUTAY  
DIRECTOR


Deputy Directors  
LYNN A.S. ARAKI-REGAN  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

IN REPLY REFER TO:

**HWY-RL 3.96437**

October 26, 2020

TO: SUZANNE D. CASE, CHAIRPERSON  
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: 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, KAUAI, HAWAII  
APPROVAL FOR THE ACQUISITION OF LANDS,  
RESTRICTIONS OF ACCESS AND GRANT OF EASEMENTS

Enclosed for your approval is the Land Board submittal for the subject project. Please place the submittal on your next Land Board agenda and inform Mr. Jaime Yamashiro, of our Highways Division, Right-of-Way Branch, Land Acquisition Section at (808) 692-7336 or [jaime.k.yamashiro@hawaii.gov](mailto:jaime.k.yamashiro@hawaii.gov)

Enclosure



**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.

Item M-\_\_\_\_\_

LOCATION:

Lands and portion of lands relating to Kaunualii 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:

Parcels:

Parcel 10 = 140,274 square feet or 3.220 acres  
(Together with Abutter's Rights of Access)  
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)  
Parcel 13 = 17,164 square feet  
(Together with Abutter's Rights of Access)  
(Also together with Abutter's Rights of Access)  
Parcel 14 = 4,301 square feet  
(Together with Abutter's Rights of Access)

Tax Map Key Nos.:

(4) 3-4-007: 008  
(4) 3-4-007: 009  
(4) 3-4-007: 003  
(4) 3-3-004: 020  
(4) 3-3-004: Nani Street

Easements:

Easement 9 = 1,059 square feet  
(For Drainage Purposes)  
Easement 11 = 8,027 square feet  
(For Slope Purposes)  
Easement 14 = 2,400 square feet  
(For Drainage Purposes)  
Easement 15 = 2,901 square feet  
(For Drainage Purposes)  
Easement 20 = 1,268 square feet  
(For Slope Purposes)  
Easement 30 = 2,941 square feet  
(For Drainage Purposes)  
Easement 33 = 9,486 square feet  
(For Slope Purposes)  
Easement 34 = 7,396 square feet  
(For Slope Purposes)  
Easement 39 = 7,073 square feet  
(For Traffic Signal Purposes)

(4) 3-4-007: 003  
(4) 3-3-004: 020  
(4) 3-4-007: 003  
(4) 3-3-003: 043  
(4) 3-3-006: 019  
(4) 3-4-007: 002  
(4) 3-3-006: 015  
(4) 3-3-006: 019  
(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.

Item M-\_\_\_\_\_, Acquisition of Lands, Restrictions of Access and Grant of Easements  
Suzanne D. Case, Chairperson  
October 26, 2020  
Page 5

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 Kaunualii, 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:

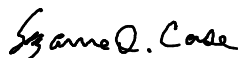
- A. Authorize the acquisition of the subject lands and restrictions of access subject to an appropriate conveyance document, as reviewed and approved by the Department of the Attorney General and by the Department of Transportation.
- B. Authorize the acquisition of the subject perpetual, non-exclusive 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:



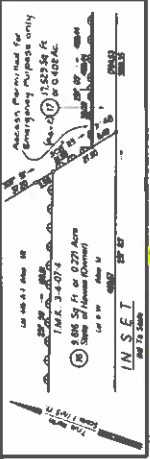
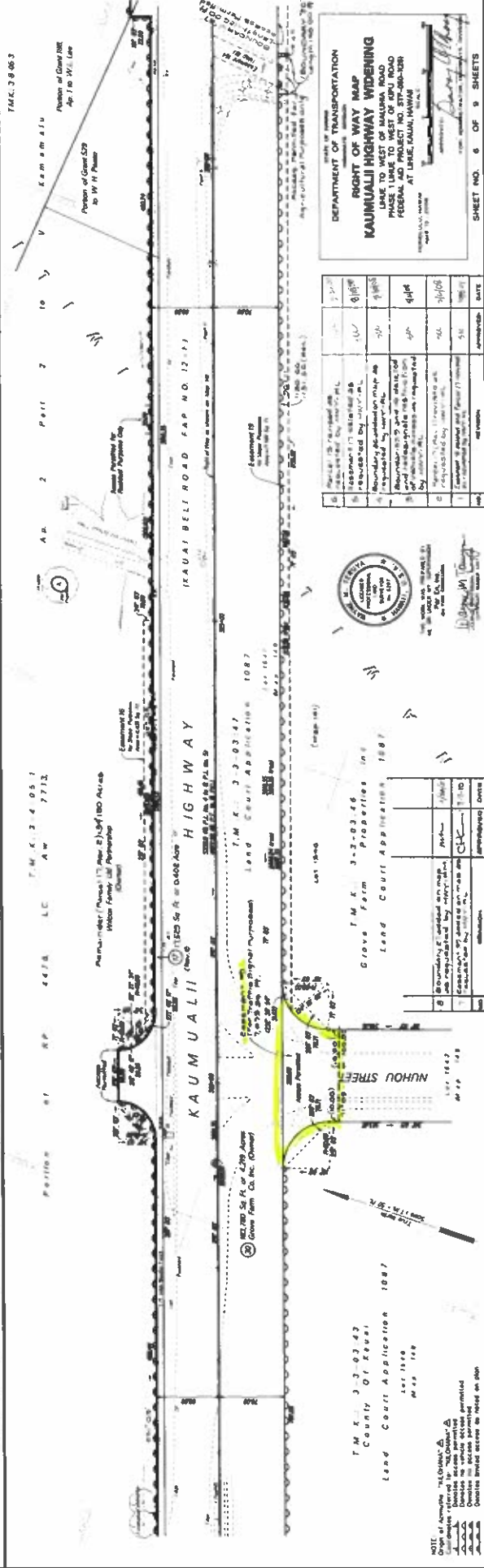
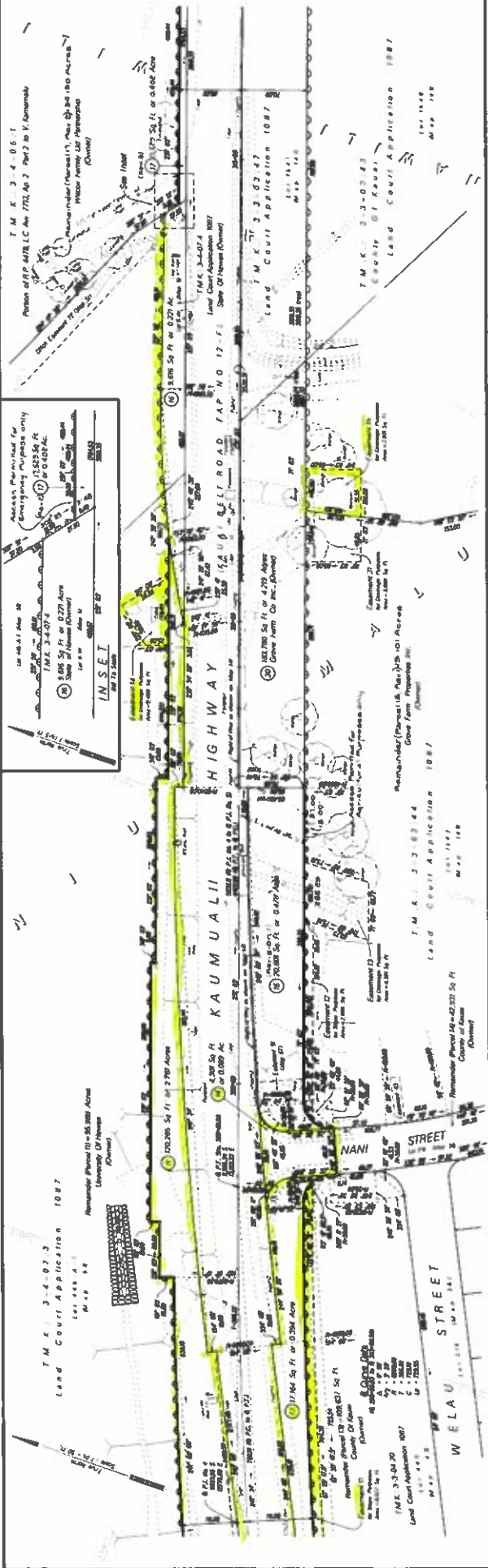
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SUZANNE D. CASE, Chairperson  
Enclosure









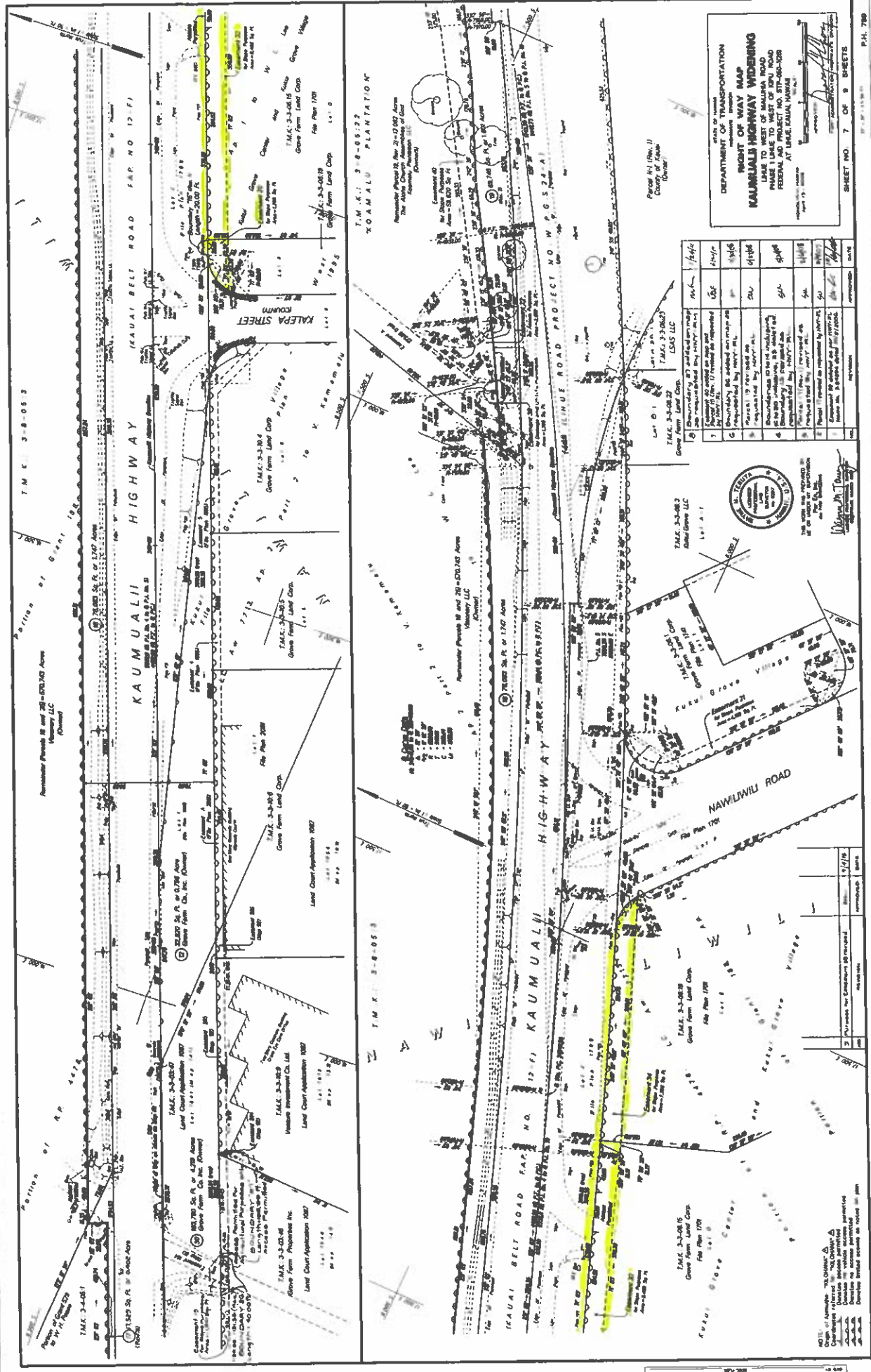
DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY MAP**  
**KAUMUALII HIGHWAY WIDENING**  
 PHASE I LANE TO WEST OF MALUKA ROAD  
 FEDERAL AID PROJECT NO. 371-00-108  
 COUNTY OF KAUA'I  
 SCALE: AS SHOWN

NO.	REVISION	DATE
1	As Shown	1/15/87
2	As Shown	1/15/87
3	As Shown	1/15/87
4	As Shown	1/15/87
5	As Shown	1/15/87
6	As Shown	1/15/87
7	As Shown	1/15/87
8	As Shown	1/15/87
9	As Shown	1/15/87
10	As Shown	1/15/87



**NOTICE:**  
 Origin of Acquire: [Symbol]  
 Origin of Easement: [Symbol]  
 Origin of Other: [Symbol]  
 Origin of Other: [Symbol]  
 Origin of Other: [Symbol]

SHEET NO. 6 OF 9 SHEETS  
 P.H. 780  
 T.M.C. 3-4-05-1  
 T.M.C. 3-4-05-2  
 T.M.C. 3-4-05-3



DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY MAP**  
**KAUMUALII HIGHWAY WIDENING**  
 PHASE I (WEST OF MAUIA ROAD)  
 FROM KALEPA STREET TO WEST OF UPIA ROAD  
 FEDERAL AID PROJECT NO. H-108-108  
 COUNTY OF KAUAI  
 DATE: 12/15/10

NO.	DESCRIPTION	DATE	BY	APPROVED
1	Prepared for Construction	12/15/10	[Signature]	[Signature]
2	Revised for Construction	12/15/10	[Signature]	[Signature]
3	Revised for Construction	12/15/10	[Signature]	[Signature]
4	Revised for Construction	12/15/10	[Signature]	[Signature]
5	Revised for Construction	12/15/10	[Signature]	[Signature]
6	Revised for Construction	12/15/10	[Signature]	[Signature]
7	Revised for Construction	12/15/10	[Signature]	[Signature]
8	Revised for Construction	12/15/10	[Signature]	[Signature]
9	Revised for Construction	12/15/10	[Signature]	[Signature]
10	Revised for Construction	12/15/10	[Signature]	[Signature]



NOTES:  
 1. All dimensions are in feet and inches.  
 2. All bearings are given in degrees, minutes and seconds.  
 3. All distances are given in feet and inches.  
 4. All areas are given in square feet and square inches.  
 5. All volumes are given in cubic feet and cubic inches.  
 6. All weights are given in pounds and ounces.  
 7. All temperatures are given in degrees Fahrenheit and degrees Celsius.  
 8. All pressures are given in pounds per square inch and kilopascals.  
 9. All forces are given in pounds and newtons.  
 10. All moments are given in foot-pounds and newton-meters.