

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

April 9, 2021

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

PSF No.: 20OD-082

OAHU

Issuance of Right-of-Entry Permit to Department of Transportation, Highways Division for Modification of Existing Driveways from Kalanianaʻole Highway Purposes on Lands Encumbered by Governor's Executive Order No. 2794 and General Lease S-6056, Waimanalo, Koolāupoko, Oahu, Tax Map Key: (1) 4-1-009: Portions of 279, 280 and 282

APPLICANT:

Department of Transportation, Highways Division ("DOT-HWYS")

LEGAL REFERENCE:

Sections 171-11 and 55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands of Waimanalo situated at Waimanalo, Koolāupoko, Oahu, identified by Tax Map Key: (1) 4-1-009: Portions of 279, 280 and 282, as shown on the attached map labeled **EXHIBIT A**.

AREA:

Tax Map Key: (1) 4-1-009:279 (Portion):  
2,100 square feet, more or less (**EXHIBIT A-1**)

Tax Map Key: (1) 4-1-009:280 (Portion):  
3,000 square feet, more or less (**EXHIBIT A-2**)

Tax Map Key: (1) 4-1-009:282 (Portion):  
1,600 square feet, more or less (**EXHIBIT A-3**)

ZONING:

State Land Use District:	Urban
City and County of Honolulu LUO:	R-5 - Residential

TRUST LAND STATUS:

Tax Map Key: (1) 4-1-009:279

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

Tax Map Key: (1) 4-1-009:280 and 282

Section 5(e) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Tax Map Key: (1) 4-1-009:279 and 282

Encumbered by General Lease No. S-6056, Waimanalo Health Center, Lessee,  
for Community Services purposes. Lease to expire on December 31, 2079.

Tax Map Key: (1) 4-1-009:280

Encumbered by Governor's Executive Order No. 2794 to City and County of  
Honolulu for Fire Station and Ambulance Site purposes.

CHARACTER OF USE:

Modification of Existing Driveways from Kalanianaʻole Highway purposes.

TERM OF RIGHT-OF-ENTRY:

18 months.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-15 and the  
Exemption List for the Department of Land and Natural Resources reviewed and

concluded on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, Item 44 that states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.". (See **EXHIBIT B**)

DCCA VERIFICATION:

Not Applicable – Government Agency

APPLICANT REQUIREMENTS:

Not Applicable.

REMARKS:

In their subject request dated September 3, 2020, the DOT-HWYS, as part of their Kalanianaʻole Highway Improvement Project, Phase 2 (Poalima Street to vicinity of Makai Pier) is requesting access to state-owned properties along Kalanianaʻole Highway to modify and improve the transition of the driveways fronting the properties to connect to the new sidewalk at a higher elevation and to ensure a smooth transition to the State highway. The proposed project is currently scheduled to commence July 2021 and be completed in approximately 18 months.

The Applicant has received acknowledgments and concurrence from the both the Waimanalo Health Center and the City and County of Honolulu (**EXHIBIT C1** and **C2**). Comments were solicited from the following Agencies:

WHC	Comments shown attached as <b>Exhibit D</b> . Forwarded to DOT-HWYS staff.
C&C/Honolulu Fire Dept.	Comments shown attached as <b>Exhibit E</b> . Forwarded to DOT-HWYS staff.
C&C/Dept of Design & Construction	No Comment.
C&C/Dept of Planning & Permitting	No Response.

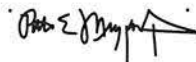
RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, 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. Authorize the issuance of a right-of-entry permit to the Department of Transportation, Highways Division covering the subject area 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 right-of-entry permit form, as may be amended from time to time;
  - B. Address all concerns noted in Exhibits D and E and coordinate access to the State Lands with both the Waimanalo Health Center and City and County of Honolulu Waimanalo Fire Department prior to start of project.
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
  - D. Authorize the Chairperson to issue future right-of-entries to the Applicant in relation to its modification of existing driveways from Kalanianaʻole Highway.

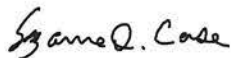
Respectfully Submitted,



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Patti E. Miyashiro  
Land Agent

APPROVED FOR SUBMITTAL:



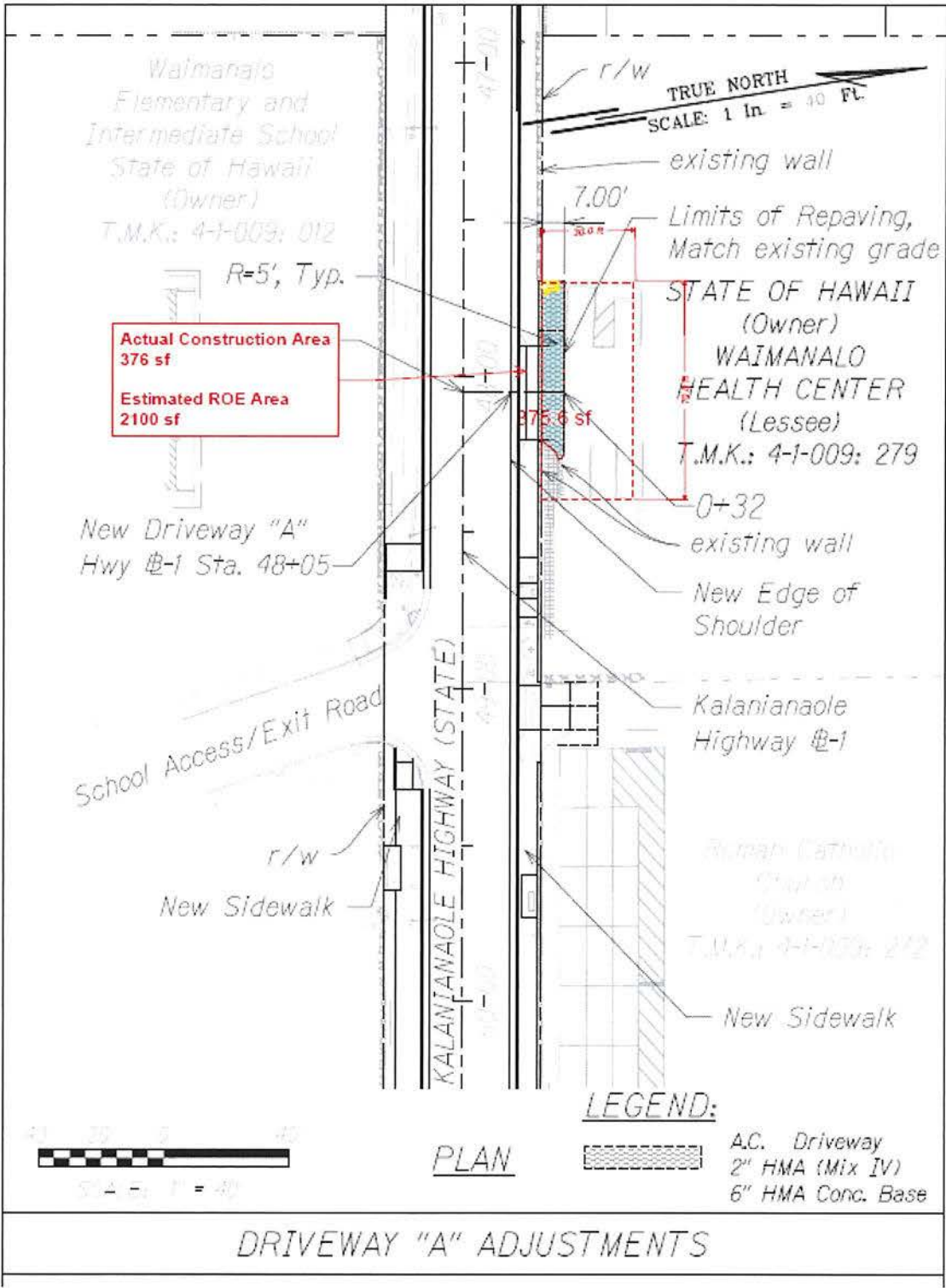
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Suzanne D. Case, Chairperson









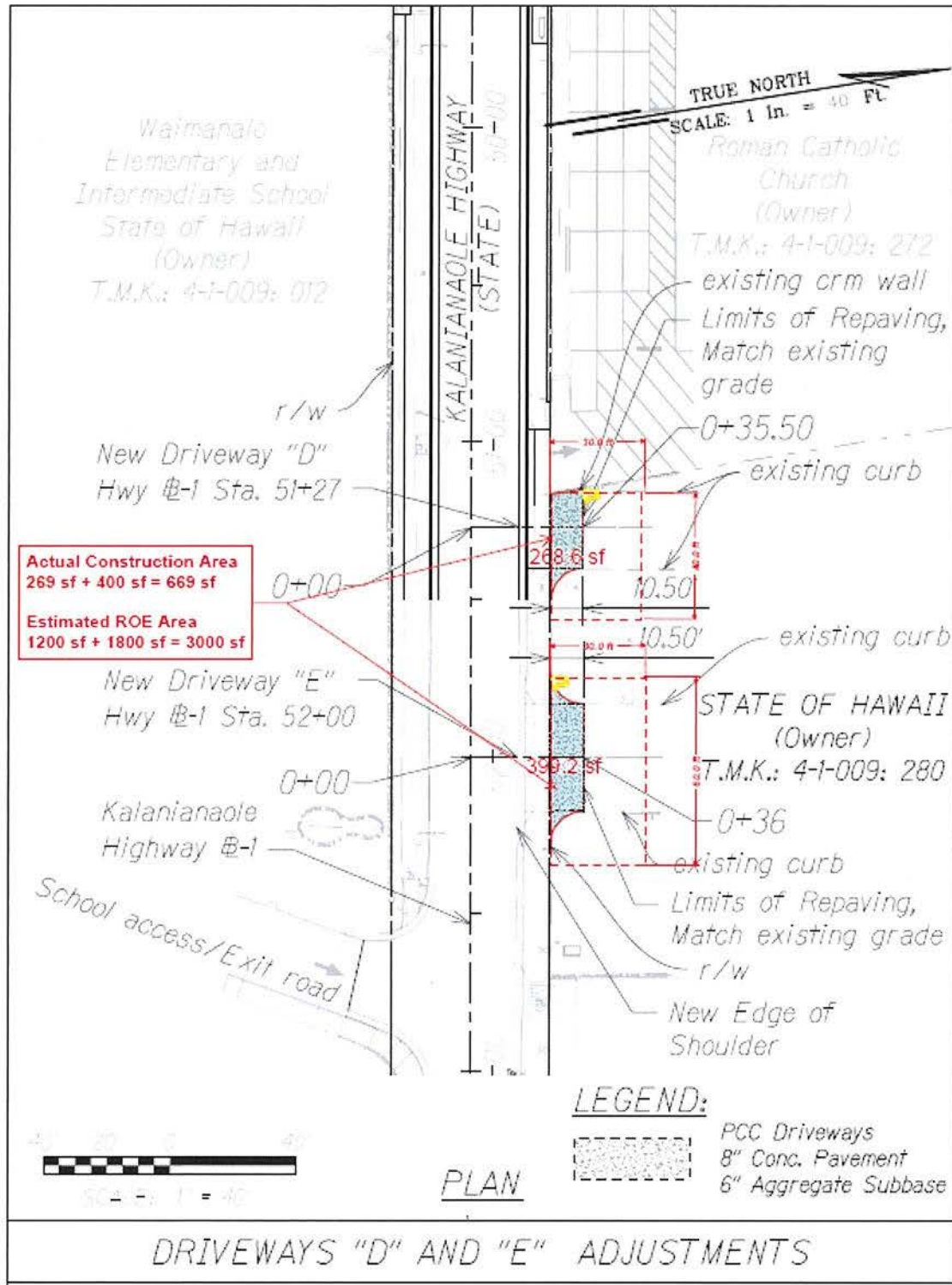


EXHIBIT A-2

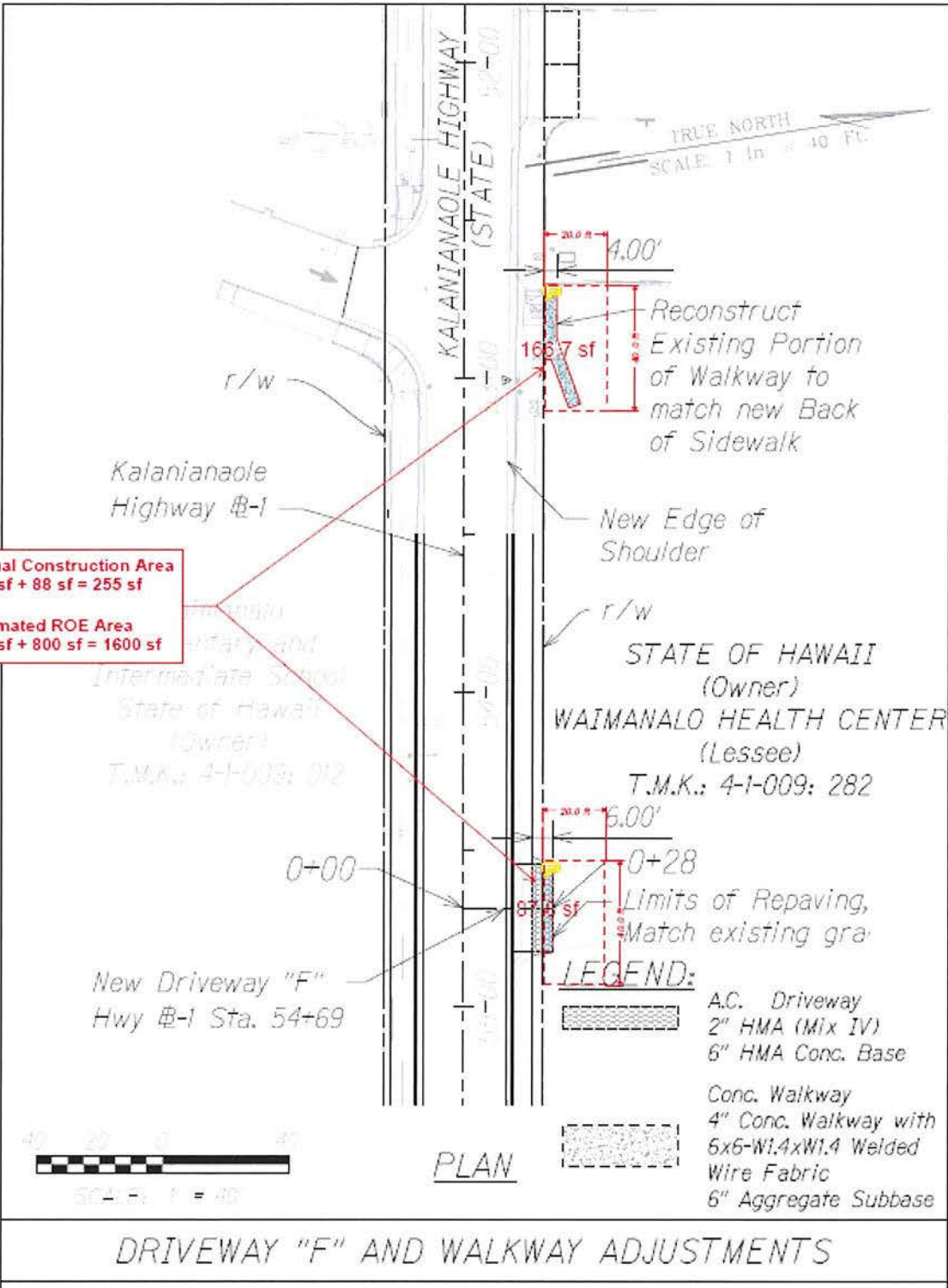


EXHIBIT A-3



## EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1-15, HAR

Project Title: Issuance of Right-of-Entry Permit to Department of Transportation, Highways Division

Reference No.: 20OD-082

Project Location: Waimanalo, Koolau-poko. Oahu, Tax Map Key: (1) 4-1-1-009: portions of 279, 280 and 282

Project Description: Right-of-Entry Permit to Department of Transportation, Highways Division on Lands Encumbered by Governor's Executive Order No. 2794 and General Lease S-6056 Modification of Existing Driveways from Kalaniana'ole Highway purposes.

Chap. 343 Use of State Land.

Trigger(s):

Exemption Class  
No.:

In accordance with Hawaii Administrative Rules (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 November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, Item 44 that states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".

The Applicant's proposed use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Cumulative Impact  
of Planned  
Successive Actions  
in Same Place  
Significant?

No. Staff believes the request would involve negligible impact to the subject area.

## EXHIBIT B

Action May Have  
Significant Impact  
on Particularly  
Sensitive  
Environment?

Staff is not aware of any particularly sensitive environmental issues and use of the area would involve negligible impact.

Consulted Parties:

Waimanalo Health Center, Honolulu Fire Department. Department of Design and Construction, and Department of Planning and Permitting.

Analysis:

The analysis factors are the requested right-of-entry are a negligible expansion or change in use of the subject area beyond previously existing. Taking these factors into consideration staff believes there would be no significant impact to sensitive environmental or ecological receptors.

Recommendation:

It is anticipated that the right-of-entry will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

DAVID Y. IGE  
GOVERNOR

HIGHWAY DESIGN BRANCH, ROOM 600A  
BRIDGE DESIGN SECTION, ROOM 611  
CADASTRAL DESIGN SECTION, ROOM 603  
HIGHWAY DESIGN SECTION, ROOM 609  
HYDRAULIC DESIGN SECTION, ROOM 63F  
TECHNICAL DESIGN SERVICE, ROOM 628  
LANDSCAPE DESIGN SECTION, ROOM 602

RIGHT-OF-WAY BRANCH, ROOM 601  
TRAFFIC BRANCH, ROOM 602



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION AT KAPOLEI  
601 KAMOKILA BOULEVARD  
KAPOLEI, HAWAII 96707

JADE T. BUTAY  
DIRECTOR

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

IN REPLY REFER TO:  
HWY-RL 3.96391

September 30, 2020

- CERTIFIED MAIL; RETURN RECEIPT REQUESTED -

Ms. Mary Frances Oneha, Chief Executive Officer  
Waimanalo Health Center  
41-1347 Kalanianaʻole Highway  
Waimanalo, Hawaii 96795

Dear Ms. Oneha:

Subject: Kalanianaʻole Highway Improvements, Phase 2  
Poalima Street to Vicinity of Makai Pier  
Federal Aid Project No. NH-072-1(059)  
Waimanalo, Koolau-poko, Oahu, Hawaii  
Tax Map Keys (1) 4-1-009: 279 and 282  
Driveways "A" and "F" Adjustments

In connection with the subject project, the State of Hawaii, Department of Transportation, Highways Division (DOT) is proposing to improve Kalanianaʻole Highway, portion of Tax Map Keys (1) 4-1-009: 279 and 282. Current public records show that the Department of Land and Natural Resources (DLNR) is the landowner and you are the lessee.

For your information, the DOT requested to modify the existing driveway and improve the transition of the driveway fronting the DLNR's property to connect to the new sidewalk at a higher elevation and to ensure a smooth transition to the State highway. The modified driveway will be constructed with asphalt paving and concrete as indicated on the enclosed Property Adjustment Plans.

The portion we requested from the DLNR are shown on the enclosed plans. The work will be done by the DOT's contractor and the disturbed areas will be returned to a condition similar to that which existed, with reasonable wear and tear expected, prior to the State's work. The proposed project is currently scheduled to commence November 2020 and the improved area will remain in the DLNR's possession after the project is completed.

**EXHIBIT C-1**

Ms. Mary Frances Oncha  
September 30, 2020  
Page 2

HWY-RL 3.96391

Please acknowledge and concur by signing, dating, and returning the duplicate copy of this letter in the enclosed self-addressed envelope to our office within **14** calendar days of receipt of this letter. Since time is of the essence, you may email the signed document to [kevin.a.simon@hawaii.gov](mailto:kevin.a.simon@hawaii.gov).

Thank you for your cooperation on this project. Should there be any questions regarding construction, please contact Mr. Ka Chun Wat of our Design Branch at (808) 692-7545 or email at [kachun.e.wat@hawaii.gov](mailto:kachun.e.wat@hawaii.gov). If you have any other questions, please contact Mr. Kevin Simon of our Land Acquisition Section at (808) 692-7334 or email at [kevin.a.simon@hawaii.gov](mailto:kevin.a.simon@hawaii.gov).

Sincerely,



FAWN Y. YAMADA  
Right-of-Way Manager

ACKNOWLEDGED AND CONCURRED

this 5<sup>th</sup> day of October, 2020

WAIMANALO HEALTH CENTER:



Print Name: Mary Frances Oncha, APRN, PhD, FAAN  
Its: Chief Executive Officer

3 Enclosures

1. Property Adjustment Plans
2. Duplicate copy of this letter
3. Self-addressed envelope

c: DLNR (Ms. Patti Miyashiro) via email: [patti.miyashiro@hawaii.gov](mailto:patti.miyashiro@hawaii.gov) with enclosure no. 1  
Ms. Mary Frances Oncha via email: [moncha@waimanalohealth.org](mailto:moncha@waimanalohealth.org) with enclosure no. 1



DAVID Y. IGE  
GOVERNOR

HIGHWAY DESIGN BRANCH, ROOM 608A  
BRIDGE DESIGN SECTION, ROOM 611  
CADASTRAL DESIGN SECTION, ROOM 600  
HIGHWAY DESIGN SECTION, ROOM 609  
HYDRAULIC DESIGN SECTION, ROOM 635  
TECHNICAL DESIGN SERVICE, ROOM 655  
LANDSCAPE DESIGN SECTION, ROOM 609

RIGHT-OF-WAY BRANCH, ROOM 601

TRAFFIC BRANCH, ROOM 602



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
HIGHWAYS DIVISION AT KAPOLEI  
601 KAMOKILA BOULEVARD  
KAPOLEI, HAWAII 96707

September 30, 2020

F4 860

OCT 08 2020

CR20-478

JADE T. BUTAY  
DIRECTOR

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

IN REPLY REFER TO:  
HWY-RL 3.96392

F1

F2

1207

- CERTIFIED MAIL; RETURN RECEIPT REQUESTED -

Mr. Manuel P. Neves, Fire Chief  
Honolulu Fire Department  
636 South Street  
Honolulu, Hawaii 96813

Dear Mr. Neves:

Subject: Kalaniana'ole Highway Improvements, Phase 2  
Poalima Street to Vicinity of Makai Pier  
Federal Aid Project No. NH-072-1(059)  
Waimanalo, Koolaulopoko, Oahu, Hawaii  
Tax Map Key (1) 4-1-009: 280  
Driveways "D" and "E" Adjustments

In connection with the subject project, the State of Hawaii, Department of Transportation, Highways Division (DOT) is proposing to improve Kalaniana'ole Highway, portion of Tax Map Key (1) 4-1-009: 280. Current public records show that the Department of Land and Natural Resources (DLNR) is the landowner and you are the lessee.

For your information, the DOT requested to modify the existing driveway and improve the transition of the driveway fronting the DLNR's property to connect to the new sidewalk at a higher elevation and to ensure a smooth transition to the State highway. The modified driveway will be constructed with asphalt paving and concrete as indicated on the enclosed Property Adjustment Plans.

The portion we requested from the DLNR are shown on the enclosed plans. The work will be done by the DOT's contractor and the disturbed areas will be returned to a condition similar to that which existed, with reasonable wear and tear expected, prior to the State's work. The proposed project is currently scheduled to commence November 2020 and the improved area will remain in the DLNR's possession after the project is completed.

EXHIBIT C-2

Mr. Manuel P. Neves  
September 30, 2020  
Page 2

HWY-RL 3.96392

Please acknowledge and concur by signing, dating, and returning the duplicate copy of this letter in the enclosed self-addressed envelope to our office within **14** calendar days of receipt of this letter. Since time is of the essence, you may email the signed document to [kevin.a.simon@hawaii.gov](mailto:kevin.a.simon@hawaii.gov).

Thank you for your cooperation on this project. Should there be any questions regarding construction, please contact Mr. Ka Chun Wat of our Design Branch at (808) 692-7545 or email at [kachun.e.wat@hawaii.gov](mailto:kachun.e.wat@hawaii.gov). If you have any other questions, please contact Mr. Kevin Simon of our Land Acquisition Section at (808) 692-7334 or email at [kevin.a.simon@hawaii.gov](mailto:kevin.a.simon@hawaii.gov).

Sincerely,



FAWN Y. YAMADA  
Right-of-Way Manager

ACKNOWLEDGED AND CONCURRED

this 12 day of October, 20 20

HONOLULU FIRE DEPARTMENT:



Print Name: MANUEL P. NEVES FIRE CHIEF  
Its: \_\_\_\_\_

3 Enclosures

1. Property Adjustment Plans
2. Duplicate copy of this letter
3. Self-addressed envelope

c: DLNR (Ms. Patti Miyashiro) via email: [patti.miyashiro@hawaii.gov](mailto:patti.miyashiro@hawaii.gov) with enclosure no. 1  
Mr. Manuel P. Neves via email: [mneves@honolulu.gov](mailto:mneves@honolulu.gov) with enclosure no. 1



WAIMĀNALO  
HEALTH CENTER

October 2, 2020

Patti Miyashiro, Land Agent  
State of Hawai'i  
Department of Land and Natural Resources  
Land Division  
P.O. Box 521  
Honolulu, HI 96809

RE: Request for Comments – Issuance of Right-of-Entry Permit to Department of Transportation, Highways Division on Lands Encumbered by General Lease No. 6056, Waimanalo, Ko'olaupoko, Oahu, Tax Map Key: (1) 4-1-009: Portions of 279 and 282.

Aloha Ms. Miyashiro,

Thank you for the notification of a request for a Right-of-Entry from the Department of Transportation impacting portions of Parcel 279 and 282 and the opportunity to provide the following comments.

1. Exhibit A, Parcel 279, New Driveway "A" – The driveway provides an entrance for our employees and patients to access the employee parking lot and patient services. Our hours of operation are Monday – Friday, 8:00am – 5:00pm and Saturdays, 8:00am – 12:00pm. There are a few staff who start prior to 8:00am. Access may be limited to 1 entry/exit route, but at no time during operating hours can access be completely eliminated at this driveway.
2. Exhibit B, Parcel 282, Driveway "F" – This driveway leads to our patient parking lot and access for deliveries and lab pick-up. As above, hours of operations are Monday – Friday, 8:00am – 5:00pm and Saturdays, 8:00am – 12:00pm. This parking lot also does COVID-19 testing via Park and Test (as marked by the reserved stalls). At no time during operating hours can access be eliminated.
3. Exhibit B, Parcel 282, Reconstruct Existing Portion of Walkway to match new Back of Sidewalk – There is a utility box near this area (Attachment 1) and concrete pad. All of the utilities (power, communications, cable, water, sewer) come in and out of the property near the HECO transformer. All should be deep enough, however having DOT or its contractors mark the locations of the pipes/conduit underground before trenching would be helpful. The shallowest is 16" below grade.

Please maintain proper slopes and grades where repaving or replacing of the concrete walkways will occur so that the transitions are smooth; and return to a similar condition any disturbed areas or paint (traffic flow arrows) (Attachment 2), as appropriate.

Providing a schedule of activities (fronting our sites) to Waimānalo Health Center would be useful for our providers and staff. If the activity noise is loud, we may have to adjust patient appointment schedules as telehealth services are provided in the offices on the second floor facing Kalaniana'ole Hwy.

Mahalo for moving forward with installing sidewalks fronting our organization, we are grateful for your diligence, timeliness, and opportunity to provide comment. Please feel

free to reach out to me or Guy Bowker, Facilities Director at 954-7121 or  
[gbowker@waimanalohealth.org](mailto:gbowker@waimanalohealth.org).

Mahalo for your consideration,



Mary Frances Oneha, APRN, PhD, FAAN  
Chief Executive Officer



Attachment 1 – Parcel 282



Attachment 2 – Existing Driveway Entrance Parcel 282



**From:** [Ota, Dyron K](#)  
**To:** [Ito, Michael](#); [Miyashiro, Betty E](#)  
**Cc:** [Cheung, Barry W](#); [Medrano, Malcolm K](#)  
**Subject:** [EXTERNAL] RE: Request for Comments - Right-of-Entry Request from Dept of Transportation, Highways Division  
**Date:** Wednesday, October 28, 2020 1:50:02 PM

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Please see reply below from Captain Medrano. Thank you.

Aloha,  
Dy

**Dyron Ota**  
Fire Captain  
Honolulu Fire Department  
Administrative Services Bureau B&P  
[dota@honolulu.gov](mailto:dota@honolulu.gov)  
[REDACTED] mobile  
[REDACTED] direct

*From: Medrano, Malcolm K*  
*Sent: Friday, October 2, 2020 12:14 PM*  
*To: Ito, Michael <[mito1@honolulu.gov](mailto:mito1@honolulu.gov)>; Ota, Dyron K <[dota@honolulu.gov](mailto:dota@honolulu.gov)>*  
*Subject: RE: Request for Comments - Right-of-Entry Request from Dept of Transportation, Highways Division*

*Aloha Mike,*

*No, sorry for missing this...*

*From the facility perspective, we are concerned about 2 things:*

- 1. Ensuring the transition from the existing elevations to the newly-constructed areas do not negatively impact the departure angle (vertical clearance from our rear bumper to the ground) of our fire apparatus.*
- 2. Ensuring that during the construction phase, access for emergency response is provided 24/7 by either phasing the work so only one driveway is worked on at a time or by bridging excavated areas with steel road plates.*

*Mahalo,  
Capt. Mal*

**EXHIBIT E**