

DAVID Y. IGE  
GOVERNOR



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

JADE T. BUTAY  
DIRECTOR

Deputy Directors  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

IN REPLY REFER TO:

HWY-RL 3.96966

September 28, 2021

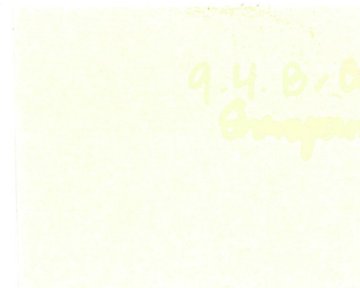
TO: SUZANNE D. CASE, CHAIRPERSON  
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: FARRINGTON HIGHWAY  
PROJECT NO. STP-0930-1(006)  
AT MOKULEIA AND KAMANANUI, WAIALUA, OAHU, HAWAII  
TAX MAP KEY NOS. (1) 6-8-06: 010, (1) 6-8-07: 002, AND (1) 6-7-01: 026

Enclosed for your approval is the Land Board re-submittal for the subject project. Please place the re-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:

September 28, 2021

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: Amend Prior Board Action of September 11, 2020, Item M-8, Request for:  
(1) Acquisition of Lands to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Farrington Highway, Project No. STP-0930-1(006), at Mokuleia and Kamananui, Waialua, Island of Oahu, State of Hawaii, Tax Map Key Nos. (1) 6-8-006: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026.

OAHU

The purpose of this amendment is to request the Board of Land and Natural Resources (Board) to authorize right-of-entry for construction purposes covering the land areas under Parcels 8 and 9.

BACKGROUND:

At its meeting of September 11, 2020, Item M-8, the Board approved submittal of (1) Acquisition of Lands to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Farrington Highway, Project No. STP-0930-1(006), at Mokuleia and Kamananui, Waialua, Island of Oahu, State of Hawaii, Tax Map Key Nos. (1) 6-8-06: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026 (Exhibit A).

REMARKS:

The Department of Transportation, Highways Division is working towards finalizing the acquisitions of Parcels 8 and 9. Clearing title has been a lengthy process and right-of-entry for construction purposes may be necessary to prevent project delays.

Suzanne D. Case, Chairperson  
September 28, 2021  
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RECOMMENDATION:

That the Board:

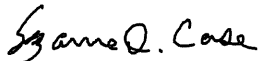
- A. Amend its prior Board action of September 11, 2020, Item M-8, by authorizing right-of-entry for construction purposes covering the land areas under Parcels 8 and 9 subject to an appropriate conveyance document, as reviewed and approved by the Department of Attorney General and by the Department of Transportation.
- B. Authorize the acquisition even in the event of a change in the ownership or tax map key numbers of those parcels described herein and in the September 11, 2020 approved submittal.
- C. Except as amended hereby, all terms and conditions as approved on September 11, 2020 shall remain the same.

Sincerely,



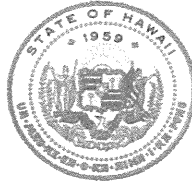
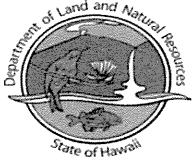
JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson



**STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

**DRAFT MINUTES  
FOR THE MEETING OF THE  
BOARD OF LAND AND NATURAL RESOURCES**

DATE: SEPTEMBER 11, 2020  
TIME: 9:00 A.M.  
LOCATION: Online via ZOOM, Livestream via YouTube

**A. MINUTES**

1. Request approval of the July 10, 2020 Board of Land Natural Resources meeting minutes.  
APPROVED

**D. LAND DIVISION**

1. Grant of Term, Non-Exclusive Quitclaim Easement to Anthony B. Aruda and Corinne S. Aruda in their capacities as successor co-trustees in and under that certain unrecorded Alfred Aruda Revocable Living Trust Agreement dated July 19, 1976; Anthony B. Aruda and Corinne S. Aruda in their capacities as the successor co-trustees in and under that certain unrecorded Mary T. Aruda Revocable Living Trust Agreement dated July 19, 1976; and Lisa R. Brown, Trustee under that certain unrecorded Lisa R. Aruda Brown Revocable Living Trust dated December 3, 1991, for Pedestrian and Equestrian Access Purposes; Kanahena, Makawao, Maui; Tax Map Key: (2) 2-1-004: 123 (Por.).

The Board may go into Executive Session pursuant to Section 92-5(a)(4), Hawaii Revised Statutes, in order to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities. DEFERRED

2. Issuance of Request for Cancellation of Revocable Permit No. S-7785 (RP S-7785) to JINTA, LLC; Waiver of Phase I Environmental Site Assessment Requirement Under RP S-7785; Issuance of Revocable Permit to Jackson Wong Inc. for Landscaping and Business Parking Lot Purposes; Grant of Term, Non-Exclusive Easement to Jackson Wong, Inc. for Portion of Encroaching Building Addition; and Sale of Lease at Public Auction; Hanapepe, Waimea, Kauai; Tax Map Key: (4) 1-9-010: 042. APPROVED AS AMENDED: *Approved Staffs' Recommendations but Conditioned Recommendation NUMBER 7 on going forward with the Auction of a 30-year Lease upon Staff researching the actual Zoning Maps from the County to confirm the subject Parcel is Zoned Open.*

**EXHIBIT A**

3. Direct Lease to Regenerations International Botanical Garden for Intensive Agricultural Use Purposes; Issuance of Immediate Management Right-of-Entry Permit; Kapaa, Kawaihau, Kauai; Tax Map Keys: (4) 4-6-005: 007 & 008. APPROVED
4. Amend Prior Board Action of July 13, 2018, Item D-6, *Grant of Term, Non-Exclusive Easement to Kahanu Family Limited Partnership for Seawall Purposes; Kuau, Hamakuapoko, Maui; Tax Map Key (TMK): (2) 2-6-010: Seaward of 017.*

The purpose of the amendment is to 1) increase the easement area from the previously approved 1390 square feet to 1613 square feet (surveyed easement area) and 2) change the applicant from Kahanu Family Limited Partnership to Sea & Believe LLC. APPROVED

5. Quitclaim of State's Interests, if any, in a 1.576 Acre (more or less) Remnant Parcel, Described as a Portion of Old Cane Haul Road, to Hawaii Housing Finance and Development Corporation (HHFDC); Wahikuli, Lahaina, Maui; Tax Map Key: (2) 4-5-021: 013. APPROVED
6. Grant of Perpetual, Non-Exclusive Easement to Hawaiian Electric Company, Inc. for Utility Purposes; Issuance of Construction Right-of-Entry; Kalihi, Honolulu, Oahu; Tax Map Key: (1) 1-2-026: Portions of 010. APPROVED
7. Grant of Term, Non-Exclusive Easements to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Lands and under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following locations:  
  
Keehi Small Boat Harbor, Kalihi-Kai, Honolulu, Oahu; Tax Map Key (TMK): (1) 1-2-025: 113 (Por.);  
  
and  
  
Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: 012 (Por.).

Authorize Negotiation and Issuance of Master License Agreement and Site License Agreement to New Cingular Wireless PCS, LLC for the Installation, Operation and Maintenance of Small Cell Wireless Facilities on Land and Improvements under the Direct Management of the Department of Land and Natural Resources; Grant of Term, Non-Exclusive Easements to Hawaiian Electric Company, Inc. and Hawaiian Telcom, Inc. for Electrical Transmission and Telecommunications Transmission Purposes, Respectively, at the following location:

Diamond Head State Monument, Kapahulu, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 3-1-042: 006 (Por.). APPROVED

8. Status Report Regarding Deed to the State for Submerged Lands and Improvements Thereon by the Doris Duke Foundation for Islamic Art (DDFIA); Waikiki, Honolulu, Oahu; Tax Map Key: (1) 3-1-041: 005.

Approval in Principle of Memorandum of Understanding Regarding a Possible Construction Project Regarding the Property. APPROVED

9. Amendment of Grant of Non-Exclusive Easement S-5601 to Robert W.S. Chang and Carol L.H. Chang, Trustees under Unrecorded Robert W.S. Chang and Carol L.H. Chang Revocable Living Trust dated December 23, 1986 and Ryan K. Chang for Seawall Purposes; Waialae Iki, Honolulu, Oahu; Tax Map Key: (1) 3-5-022: Seaward of 002.

The purpose of this amendment is to modify the easement condition regarding consent to assignment, eliminate the requirement of posting a performance bond, and add a new condition requiring the prior written approval of the Chairperson to mortgage the easement area. APPROVED

10. Acquisition of Private Land, Issuance of Immediate Management Right of Entry, and Set Aside to the Division of Forestry and Wildlife for Natural Area Reserve Purposes; Niu, Honolulu, Oahu; Tax Map Key: (1) 3-7-003: 003. APPROVED
11. Approval of Proposed Repair and Modification of Existing Seawall and Steps Covered by Non-Exclusive Easement GL S-6083 to Waimanalo Paradise, LLC, a Delaware limited liability company, Waimanalo, Koolau-poko, Oahu, Tax Map Keys: (1) 4-1-002: Seaward of 021 & 022 (formerly 007). APPROVED

## **J. DIVISION OF BOATING AND OCEAN RECREATION**

1. After-The-Fact Consent to Sublease under Harbor Lease No H-83-2, Kona Marine Holdings, LLC, Lessee, to: Reel Action LLC., Kiholo Inc., and Wahine Charters, LLC, Sublessees; Kealakehe, Kailua-Kona; Tax Map Key: (3) 7-4-008: 040. DEFFER
2. Approve GKM, Inc., to Sell Fuel to its Subtenants Under Harbor Lease No. H-82-4, at A Rental Rate of Five Percent (5%) of Gross Fuel Receipts; Situated at Honokohau Small Boat Harbor, Kailua-Kona, Kealakehe, Island of Hawaii, Tax Map Key: (3) 7-4-008:042 (Por.). DEFFER

- ~~3. Sale of Concession by Sealed Bid for a Five-Year Parking Contract to Operate a Parking Concession; Situated at the Honokohau Small Boat Harbor, Kealahou, Kailua-Kona, Hawaii; Tax Map Key: (3) 7-4-008: 003 (Por.);~~

~~and~~

~~Declare Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules. WITHDRAWN~~

4. Sale of Concession by Sealed Bid for a Five-Year Parking Contract to Operate a Parking Concession; Situated at Ala Wai Small Boat Harbor Honolulu, Oahu; Tax Map Keys: (1) 2-6-010: 003 (Portion), (1) 2-3-037: 012 (Portion) 024: 027: 033, 035, and: 037,

and

Declare Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules. APPROVED

#### M. OTHERS

1. Grant of Non-Exclusive Easements to Hawaiian Electric Company, Inc. for Underground Power Lines and Issuance of Immediate Construction Right-Of-Entry Permit; Daniel K. Inouye International Airport; Tax Map Keys: (1) 1-1-003: 009 (Portion), (1) 1-1-003: 010 (Portion), and (1) 1-1-003: 035 (Portion). APPROVED
2. Issuance of a Revocable Permit for a Construction Staging Area for Equipment and Materials to Nan, Inc.; Daniel K. Inouye International Airport; Tax Map Key: (1) 1-1-003: 021 (Portion). APPROVED
3. Issuance of a Revocable Permit for Cargo Area Ramp Space for Equipment Storage, Trans Executive Airlines of Hawaii, Inc.; Ellison Onizuka Kona International Airport at Keāhole; Tax Map Key: (3) 7-3-43: Portion of 040. APPROVED
4. Issuance of Three (3) Month-to-Month Revocable Permits to McCabe, Hamilton & Renny, Company, Limited., for Maintenance Shop, Clerk Office, and Container Office, situated at Pier 5, Kalaeloa Barbers Point Harbor, Oahu; Tax Map Key: (1) 9-1-014: 024 (Por.); pursuant to Governor's Executive Order No. 3383. APPROVED
5. Issuance of Month-to-Month Permit to Hawaii Stevedores, Inc., for an Office Trailer; situated at Pier 1, Kahului Harbor, Maui; Tax Map Key: (2) 3-7-010: 006 (Por.); pursuant to Governor's Executive Order No. 2986. APPROVED

6. Issuance of Construction Right-of-Entry (CROE) to Hawaii Fueling Facilities Corporation, to Perform Work on Harbors Lands to Install a Fuel Pipeline within a Portion of Pier 43, Kapalama Container Terminal Project; Honolulu Harbor, Oahu; Tax Map Key: (1) 1-2-025: 017 (Por.); pursuant to Governor's Executive Order No. 4206. APPROVED
7. Dedication of Land to the Department of Transportation, Highways Division, for Highway Purposes relating to Fort Weaver Road Realignment Federal Aid Secondary Project (FASP) No. S-RS-0760(2), situated at Honouliuli, Ewa, Oahu; Tax Map Key: (1) 9-1-012: 087. APPROVED
8. Request for: (1) Acquisition of Lands to the Department of Transportation, Highways Division, for Highway Purposes relating to Farrington Highway Project No. STP-0930-1 (006); Mokuleia and Kamananui, Waialua, Oahu; Tax Map Keys: (1) 6-8-006: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026. APPROVED
9. Issuance of Construction Right-of-Entry, Grant of Easement (Perpetual, Non-Exclusive Easement) to Hawaiian Electric Company, Inc., for the Installation and Operation of New Underground Lines and related Facilities needed to Service Kapalama Container Terminal; Honolulu Harbor, Oahu; Tax Map Key: (1) 1-2-025: Portions of 002, 009, 011, 012, 016, and 017. APPROVED
10. Request for (1) Fee Simple Parcel to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Fort Barrette Road Operational Improvements, Project No. 901A-01-19, at Honouliuli, Ewa, Hawaii, Tax Map Key: (1) 9-1-013: Road (Por.). APPROVED



DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
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JADE T. BUTAY  
DIRECTOR

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

IN REPLY REFER TO:

August 24, 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 to the Department of Transportation, Highways Division, for Highway Purposes, Relating to Farrington Highway, Project No. STP-0930-1(006), at Mokuleia and Kamananui, Waialua, Island of Oahu, State of Hawaii, Tax Map Key Nos. (1) 6-8-006: Portions of 010, (1) 6-8-007: Portions of 002, and (1) 6-7-001: Portions of 026.

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:

Portion of lands relating to Farrington Highway, Project No. STP-0930-1(006), at Mokuleia and Kamananui, Waialua, Island of Oahu, State of Hawaii, as shown and described on the enclosed map labeled as Exhibit A.

**ITEM M-8**

Item M- CB, Request for Acquisition of Lands  
Suzanne D. Case, Chairperson  
August 24, 2020  
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AREA:

Parcels:

Parcel 1 = 300 square feet  
Parcel 2 = 900 square feet  
Parcel 3 = 200 square feet  
Parcel 4 = 800 square feet  
Parcel 5 = 600 square feet  
Parcel 6 = 300 square feet  
Parcel 7 = 184 square feet  
Parcel 8 = 200 square feet  
Parcel 9 = 300 square feet

Tax Map Key Nos.:

(1) 6-8-006: 010  
(1) 6-8-007: 002  
(1) 6-8-007: 002  
(1) 6-8-006: 010  
(1) 6-8-007: 002  
(1) 6-8-007: 002  
(1) 6-8-006: 010  
(1) 6-7-001: 026  
(1) 6-7-001: 026

ZONING:

Tax Map Key No. (1) 6-8-006: 010	Agricultural
Tax Map Key No. (1) 6-8-007: 002	Agricultural
Tax Map Key No. (1) 6-7-001: 026	Agricultural

CURRENT USE STATUS:

Tax Map Key No. (1) 6-8-006: 010	Occupied and encumbered by encumbrances that will not be affected by the project
Tax Map Key No. (1) 6-8-007: 002	Occupied and encumbered by encumbrances that will not be affected by the project
Tax Map Key No. (1) 6-7-001: 026	Occupied and encumbered by encumbrances that will not be affected by the project

Current ownership is as follows:

Parcels:

Tax Map Key Nos.:

Parcels 1, 4, 7  
Fee owner = Mahiko Farms, LLC, et al

Parcels 2, 3, 5, 6  
Fee owner = Pioneer Hi-Bred International, Inc.

Parcels 8, 9  
Fee owner = Dole Food Company, Inc.

(1) 6-8-006: 010

(1) 6-8-007: 002

(1) 6-7-001: 026

Item M- 8, Request for Acquisition of Lands  
Suzanne D. Case, Chairperson  
August 24, 2020  
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COMPENSATION:

The compensation for Parcels 1 through 9 were determined by compensation estimates prepared by our in-house staff appraiser.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

Chapter 343, Hawaii Revised Statutes Environmental Impact Statement requirements for the proposed action is exempt and approved by the Environmental Quality Commission on November 15, 2000.

REMARKS:

The purpose of the project is to replace and correct asphalt concrete pavement, upgrade and replace drainage facilities, and improve safety within the project limits.

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 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.

Item M- 8, Request for Acquisition of Lands  
Suzanne D. Case, Chairperson  
August 24, 2020  
Page 4

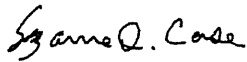
- B. Authorize the acquisition even in the event of a change in the ownership of those parcels described herein and on the enclosed maps labeled collectively as Exhibit A, under the terms and conditions cited above which are by this reference incorporated herein.

Sincerely,



JADE T. BUTAY  
Director of Transportation

APPROVED FOR SUBMITTAL:



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SUZANNE D. CASE, Chairperson

Enclosure

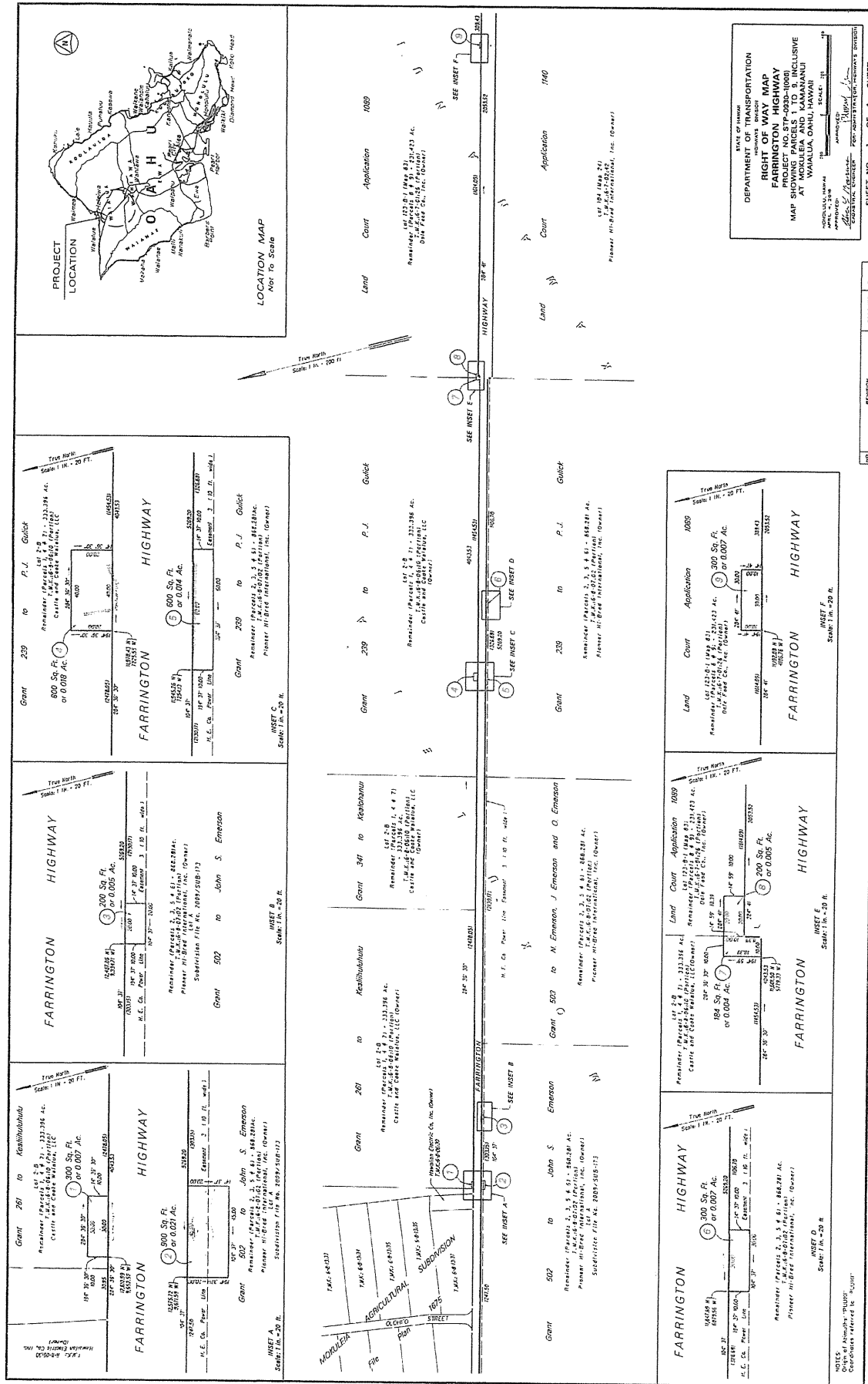


EXHIBIT A

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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