

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

June 09, 2022

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

PSF No.: 22MD-037

Maui

Set Aside 74 Acres (more or less) to Division of State Parks for Park and Ancillary Purposes and Issuance of Immediate Right-of-Entry Permit, Wakiu, Hana, Maui, Tax Map Key: (2) 1-3-006:007 por.

APPLICANT:

State of Hawaii, Department of Land and Natural Resources, Division of State Parks

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Wakiu situated at Hana, Maui, identified by Tax Map Key: (2) 1-3-006:007 por., as shown on the attached map labeled Exhibit A.

AREA:

74 acres, more or less.

ZONING:

State Land Use District:	Agriculture and Conservation
County of Maui CZO:	Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES\_\_ NO X

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Park and ancillary purposes.

TERM OF RIGHT-OF-ENTRY:

Commencing on Applicant's written acceptance of right-of-entry terms and conditions and expiring one year later or upon final disposition via Governor's Executive Order, whichever is shall first occur. Staff is recommending the Chairperson be authorized to renew the right-of-entry permit for additional one-year periods for good cause shown.

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 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 that states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features , involving negligible or no expansion or change of use beyond that previously existing," and Part 1, Item 36 that states, "Transfer of management authority over state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order." The subject request will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of§ 11-200.1-17, HAR

APPLICANT REQUIREMENTS:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 2) Process and obtain subdivision at Applicant's own cost, if necessary.

REMARKS:

The subject area was previously encumbered by GL S-4524 for pasture purposes. Lease expired in 2016 and the land is now vacant and unencumbered. In 2020 and again in 2021, the Hawaii State Legislature appropriated funds for proposed improvements to

Wainapanapa State Park. Monies will be used for surveys, plans, design, permitting and construction to include a new primary access roadway to provide ingress/egress to Wainapanapa State Park and eliminate impacts to Honokalani Road. The new roadway will be situate on government lands south of the park and west of Hana High School and provide direct access off Hana Highway.

The primary reason for constructing the new road is to divert vehicular traffic away from the existing Honokalani Road. This road is currently the only ingress / egress to the state park which runs through a small residential neighborhood that abuts Honokalani road. Over the years, there has been a significant increase in visitor traffic to the park by both rental cars and 15 to 20 passenger commercial tour vans. The increased use of Honokalani Road has triggered complaints from adjacent residents about speeding, noise, and the damage that the excessive vehicular use causes to the road surface. The construction of the new road would allow State parks to maintain access thru Honokalani road for emergency purposes and redirect all traffic to the new primary roadway to Waianapanapa State Park. The road is to be constructed of asphalt material with two vehicle lanes, a bike lane, and maintained shoulder areas on both sides. This area of Hana is known for large lava tubes and historic sites; therefore planners for State Parks propose establishing an extensive road right-of-way at 300 feet wide and 1595 feet long to allow for the potential need to navigate around any unforeseen obstacles or sites of interest during the planning and construction phases of the project.

The Maui District Land Office communicated with the Division of State Parks Maui District Office, the Maui Division of Forestry and Wildlife, the State Department of Education, Hana High School and the County of Maui's Department of Housing and Human Concerns and Department of Public Works as well as the State House of Representatives, Ms. Linda Clark. All agencies were in support of the proposed set aside.

State Park planners are suggesting that Waianapanapa State Park be promoted as the main visitor destination for East Maui. The requested set-aside will help focus infrastructure improvements there and alleviate the high visitor demand on the East Maui community in regards to both recreational day uses and overnight camping visits.

#### RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Division of State Parks 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 executive order form, as may be amended from time to time;
  - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
  - C. Review and approval by the Department of the Attorney General; and
  - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
3. Authorize the issuance of a right-of-entry permit to Division of State Parks 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. The right-of-entry permit shall commence on Applicant's written acceptance of right-of-entry terms and conditions and expire one year later or upon final disposition via Governor's Executive Order, whichever is shall first occur. The Chairperson be authorized to renew the right-of-entry permit for additional one-year periods for good cause shown; and
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

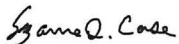
Respectfully Submitted,



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Daniel Ornellas  
District Land Agent

APPROVED FOR SUBMITTAL:

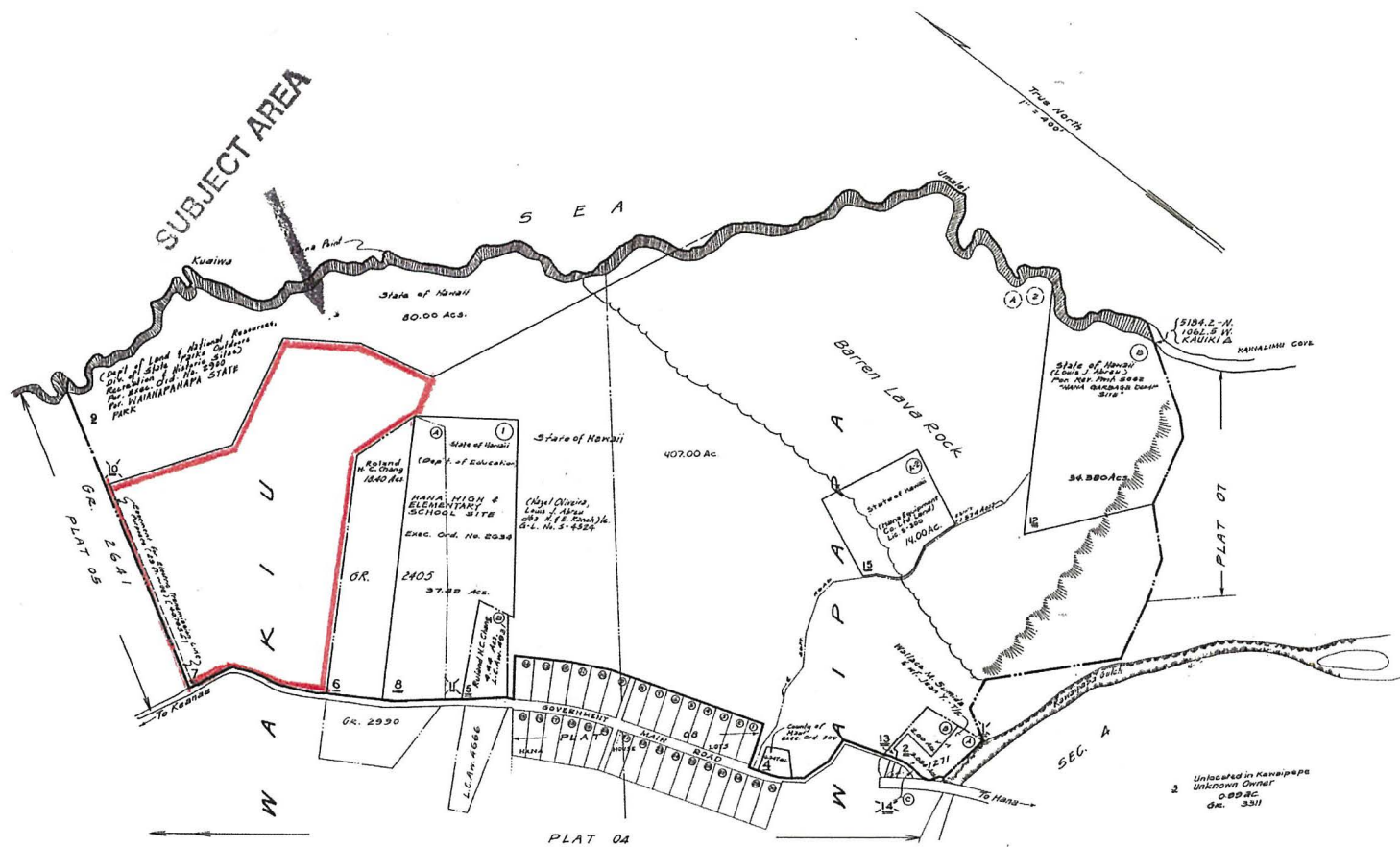


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Suzanne D. Case, Chairperson

*for*

*RT*



Dwg. No: 3203  
Source: C.S.F. 6338, Survey Dept. & Tax Map Bureau.  
By: L.H. & H.N. July 1937.

POK. WAKIU & KAWAIPAPA, HANA, MAUI.

Parcels Dropped: 1,11,14,16,

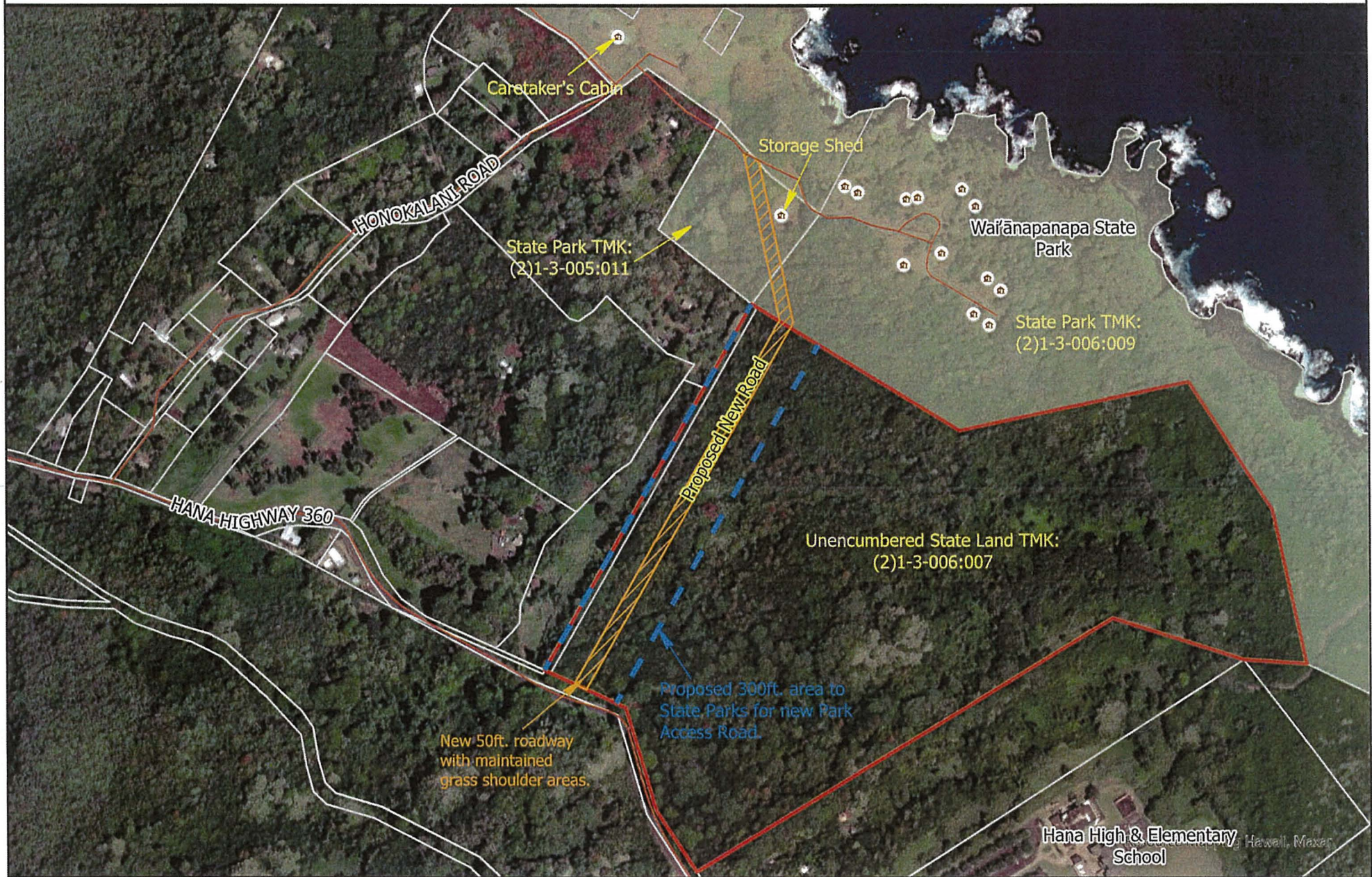
SECOND DIVISION		
ZONE	SEC.	PLAT
1	3	06
CONTAINING PARCELS		
SCALE: 1 in. = 400 ft.		
PRINTED.....		

ADVANCE SHEET  
SUBJECT TO CHANGE

PRINTED...



# Wai'anapanapa State Park Unencumbered State Land TMK Addition



<b>Legend</b>		
■ Access Road Boundary	■ Unencumbered State Land TMK	□ TMK Parcels
— Road	— Existing 25ft	□ State Park TMK
■ Proposed New Road	⊙ Structures	□ Waianapanapa State Park

Exhibit B



DAVID Y. IGE  
GOVERNOR OF HAWAII



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

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

June 09, 2022

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

M. KALEO MANUEL  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

## EXEMPTION NOTIFICATION

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

Project Title: Set Aside 74 Acres (more or less) to Division of State Parks for Park and Ancillary Purposes and Issuance of Immediate Right-of-Entry Permit, Wakiu, Hana, Maui, Tax Map Key: (2) 1-3-006:007 por.

Project / Reference No.: PSF 22MD-037

Project Location: Wakiu, Hana, Maui; Tax Map Key: (2) 1-3-006: Portion of 007

Project Description: Set aside of 74 acres (more or less) to State Parks for Park and ancillary purposes with immediate right-of-entry for management purposes. This action transfers management authority over state-owned lands. State Parks received funding from the 2020 and 2021 State legislature(s) and intends to develop a new access road from Hana Highway to Wainapanapa State Park and expand State Parks uses into the subject location over time as demand for recreational space increases. State Parks will address compliance with HRS Chapter 343 as needed in the future in anticipation of proposed improvements.

Chap. 343 Trigger(s): Use of State Land

Exemption Class No. and Description: 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 that states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features , involving negligible or no expansion or change of use beyond that previously existing," and Part 1, Item 36 that states, "Transfer of management authority over state-owned

Exhibit B

land, such as setting aside of state lands to or from other government agencies through a Governor's executive order." The subject request will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-17, HAR.

Cumulative Impact of  
Planned Successive  
Actions in Same Place  
Significant:

None. This action only transfers management authority over state-owned lands to the Division of State Parks.

Action May Have  
Significant Impact on  
Particularly Sensitive  
Environment:

None. State Parks will address compliance with HRS Chapter 343 as needed in the future in anticipation of proposed improvements.

Agencies Consulted:

DLNR: State Parks, Division of Forestry and Wildlife, State Department of Education, Hana High School; County of Maui, Department of Housing and Human Concerns and Department of Public Works; State House of Representatives, Ms. Linda Clark.

Analysis:

The proposed action is of a similar type and scope of management transfer of jurisdiction that occurs on this and other government lands across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. Staff also believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.