

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

August 25, 2023

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

PSF No.:23OD-076

OAHU

Withdrawal from Governor’s Executive Order No. 1854 and Reset Aside to the Department of Transportation, Highways Division, for Highway Purposes; Kalihi, Honolulu, Oahu; Tax Map Key: (1) 1-3-008: portion of 004; Issuance of Immediate Construction and Management Right-of-Entry Permit; Kalihi, Honolulu, Oahu; Tax Map Keys: (1) 1-3-004: portion of 123 and (1) 1-3-008: portion of 004.

CONTROLLING AGENCY (of subject executive order):

Department of Education and City and County of Honolulu.

APPLICANT (requesting set aside):

Department of Transportation, Highways Division (DOT).

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Kalihi, Honolulu, Oahu, identified by Tax Map Keys: (1) 1-3-004: portion of 123 and (1) 1-3-008: portion of 004, as shown on **Exhibits A1 and A2**.

AREA: See **Exhibits B1 to B3**

Set aside

25 square feet TMK (1) 1-3-008: portion of 004

Right-of-Entry

Construction Parcel C13 7,221 square feet TMK (1) 1-3-004: portion of 123
Construction Parcel C16 37,604 square feet TMK (1) 1-3-008: portion of 004

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO:

- (1) 1-3-004:123 – P-2
- (1) 1-3-008:004 – R-3.5

TRUST LAND STATUS:

- (1) 1-3-004:123 - Section 5(b) lands of the Hawaii Admission Act
- (1) 1-3-008:004 - Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

(1) 1-3-004:123

Governor's Executive Order No. 4514 setting aside 0.951 acre to the City and County of Honolulu for Addition to Kalihi Waena Park purposes.

(1) 1-3-008:004

Governor's Executive Order No. 1854 setting aside 222,252 square feet to the Department of Education for Kalihiwaena School purposes.

PURPOSE OF SET ASIDE:

Highway purposes.

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 minor expansion or minor change of use beyond that previously existing," and 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."

Note: The Final Environmental Assessment for the subject project was published in the Office of Environmental Quality Control's The Environmental Notice on August 23, 2022 with a finding of no significant impact (FONSI).

APPLICANT REQUIREMENTS:

Applicant shall be required to:

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

REMARKS:

Interstate H1 eastbound from the Ola Lane overpass to the Likelike Highway off-ramp would be widened to accommodate an auxiliary lane. The change is intended to improve safety, in part by eliminating the merge between traffic on H1 and H201, the Moanalua Freeway. To accommodate the widened freeway, modifications and improvements would be made to slopes, retaining walls, and fencing; signs and striping; and traffic monitoring equipment. The Gulick Avenue bridge would be lengthened and modifications made to the intersection of Gulick Avenue and Beckley Street and adjacent sidewalks and driveways. The Kalihi Stream bridge would be widened on the south (oceanward, or makai) side of the freeway. Detour routes would be provided for vehicular traffic, bicycles, and pedestrians, as needed, throughout the construction period. The project would also include adjustments to drainage lines and structures to accommodate altered stormwater flows, utility relocations, and temporary staging and laydown.

To facilitate the above-mentioned highway project, DOT requests the subject area be withdrawn from EO 1854 and that DOT be authorized to utilize construction Parcels C13 and C16. To avoid any delay in the project, DOT also asks for the issuance of an immediate construction and management right-of-entry permit over the areas described above for a term of one year that may be extended by the Chairperson for additional one-year periods for good cause shown.

Comments on this project were solicited during the environmental assessment process. Department of Education has no objection to the proposed withdrawal and re-set aside of the subject 25-square foot area. City's Department of Parks and Recreation also indicated its concurrence to the temporary occupancy of portions of the park.

There are no other pertinent issues and concerns. Staff recommends the Board approve the request.

RECOMMENDATION: That the Board:

1. Approve of and recommend to the Governor issuance of an executive order withdrawing 25 square feet from the Governor's Executive Order No. 1854 and subject 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.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the Department of Transportation, Highways Division 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 immediate right-of-entry permits to the Department of Transportation, Highways Division 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 right-of-entry permit form, as may be amended from time to time;
 - B. The right-of-entry permit shall be for a period of one year. The Chair is authorized to renew or extend the right-of-entry 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,

Barry Cheung

Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson *DN*

RT



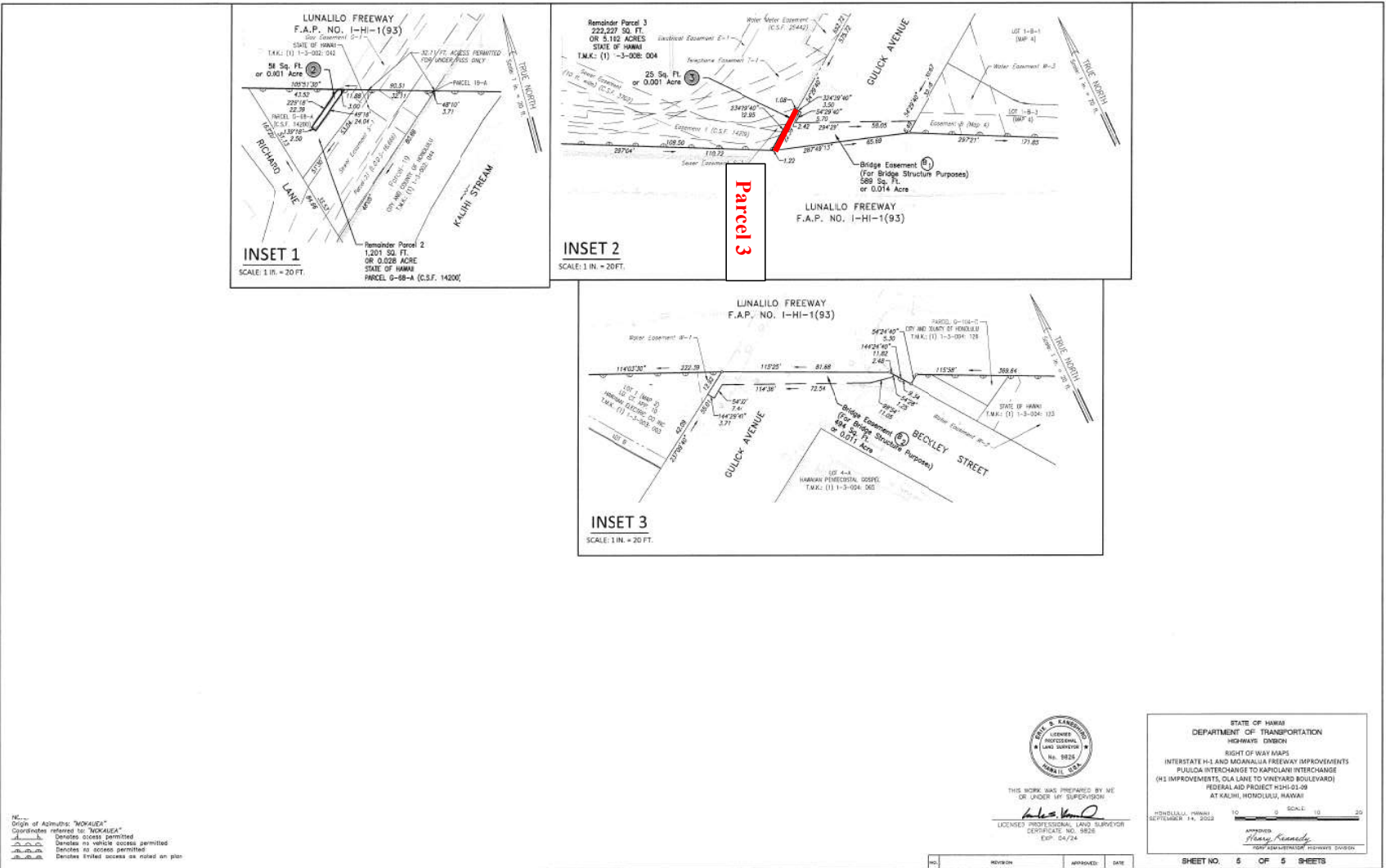
EXHIBIT A1



Tax Map Key: (1) 1-3-004: portion of 123 and (1) 1-3-008: portion of 004

EXHIBIT A2

EXHIBIT B1



NC... Origin of Azimuths: "WOKALEA"
Coordinates referred to: "WOKALEA"
--- Denotes access permitted
--- Denotes no vehicle access permitted
--- Denotes no access permitted
--- Denotes limited access as noted on plan

TAX MAP KEY: 1ST Div. 1-3-007 & 008
TAX MAP KEY: 1ST Div. 1-3-003 & 004



THIS WORK WAS PREPARED BY ME
OF UNDER MY SUPERVISION
Alan S. Kamehaha
LICENSED PROFESSIONAL ENGINEER
CERTIFICATE NO. 8828
EXP. 04/24

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION
RIGHT OF WAY MAPS
INTERSTATE H-1 AND MAWALUA FREEWAY IMPROVEMENTS
PULUCA INTERCHANGE TO KAPIOLANI INTERCHANGE
(H1 IMPROVEMENTS, OLA LANE TO VINEYARD BOULEVARD)
FEDERAL AID PROJECT H1H1-01-03
AT KALUNI, HONOLULU, HAWAII

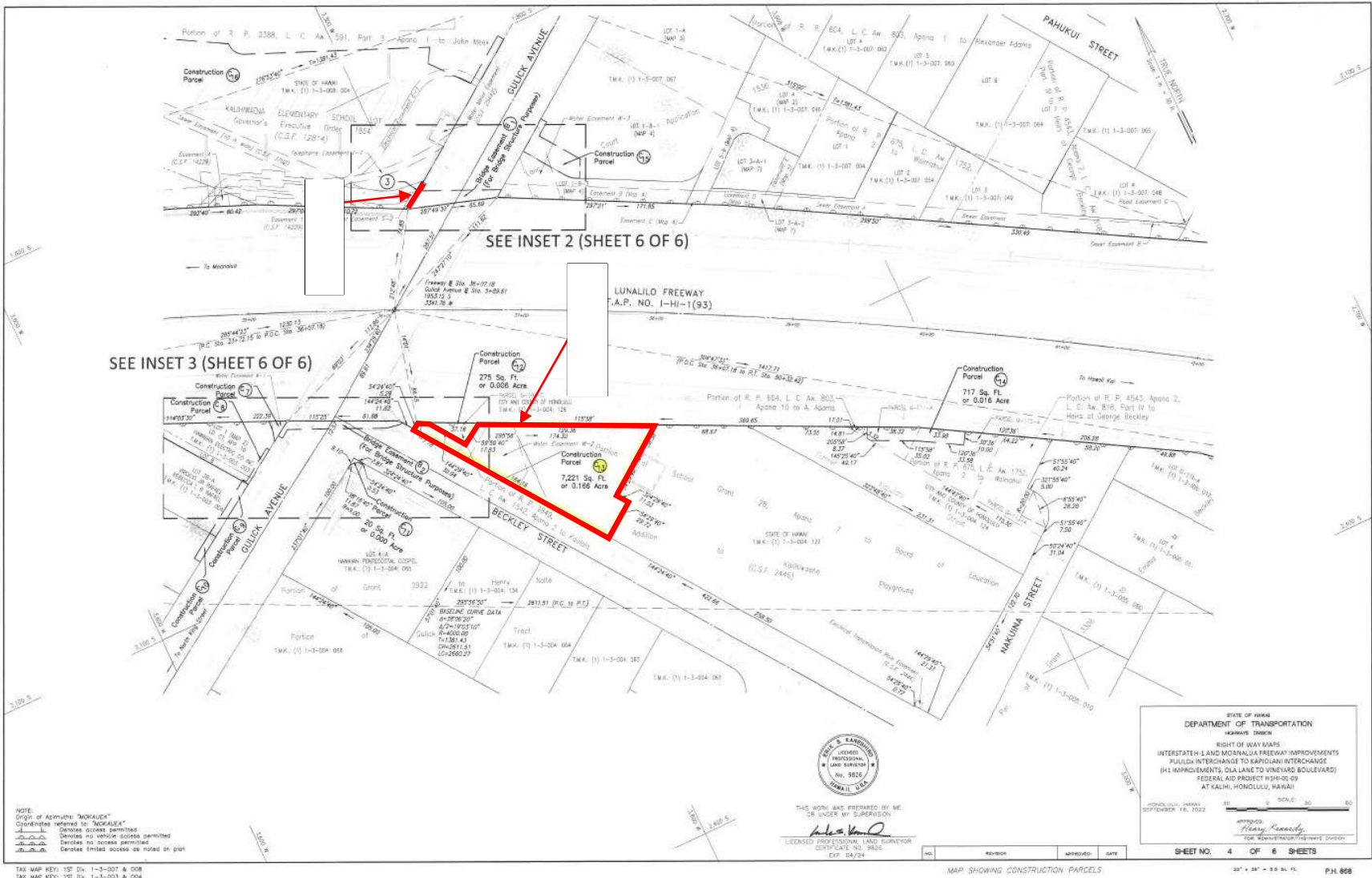
HONOLULU, HAWAII
SEPTEMBER 14, 2023

SCALE: 1" = 20'
APPROVED: *Henry Kennedy*
SUPERVISOR, HIGHWAYS DIVISION

SHEET NO. 5 OF 5 SHEETS

1" = 33' = 5.5 Sq. Ft. PH 868

EXHIBIT B2

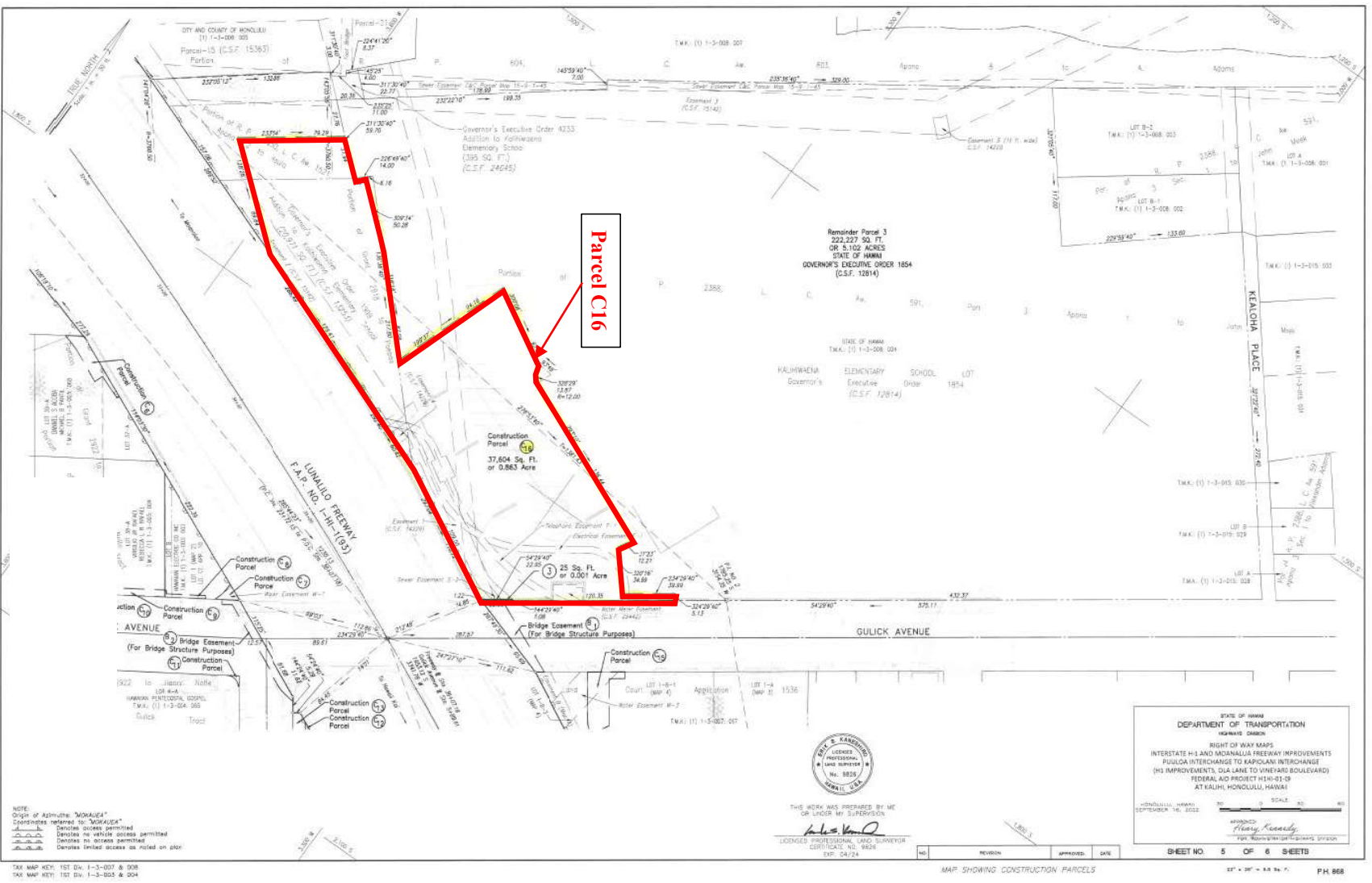


SEE INSET 3 (SHEET 6 OF 6)

SEE INSET 2 (SHEET 6 OF 6)



EXHIBIT B3



NOTE:
Origin of Azimuth: "MOAUEA"
Coordinates referred to: "MOAUEA"
--- Denotes access permitted
--- Denotes no vehicle access permitted
--- Denotes no access permitted
--- Denotes limited access as noted on plan

TAX MAP KEY: 1ST DIV. 1-3-003 & 008
TAX MAP KEY: 1ST DIV. 1-3-003 & 004



THIS WORK WAS PREPARED BY ME
OR UNDER MY SUPERVISION
Perry S. Kennedy
LICENSED PROFESSIONAL ENGINEER AND SURVEYOR
CERTIFICATE NO. 8858
EXP. 04/24

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
HELENAI DAGON
RIGHT OF WAY MAPS
INTERSTATE I-15 AND MOANALUA FREEWAY IMPROVEMENTS
PULUKA INTERCHANGE TO KAPOLANI INTERCHANGE
(H1 IMPROVEMENTS, OLA LANE TO VINEYARD BOULEVARD)
FEDERAL AID PROJECT H1-01-09
AT KAHALA HONOLULU, HAWAII
APPROVED: *Perry S. Kennedy*
Title: *Professional Engineer*
HONOLULU, HAWAII
SEPTEMBER 16, 2023
SCALE: 1" = 300'
SHEET NO. 5 OF 6 SHEETS

MAP SHOWING CONSTRUCTION PARCELS
PH 868