

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

October 13, 2023

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

PSF No.: 22HD-013

Island of Hawai'i

Set Aside to the County of Hawaii for Affordable Housing and Issuance of an Immediate Management Right-of-Entry Permit to the County of Hawaii for Unencumbered State Lands Located at Waiakea, South Hilo, Hawaii, Tax Map Keys: (3) 2-4-020:005,006,054, (3) 2-4-033:018; at Piihonua, South Hilo, Hawaii, (3) 2-5-010:001 Portion; at Ponahawai, South Hilo, Hawaii, (3) 2-5-027:015 and at Ooma 1st, North Kona, Hawaii, Tax Map Keys: (3) 7-3-010:056 and (3) 7-3-010:061 portions.

APPLICANT:

County of Hawaii, Office of Housing and Community Development.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waiakea, South Hilo, Hawaii, identified by Tax Map Keys: (3) 2-4-020:005,006,054, (3) 2-4-033:018, (3) 2-5-010:portion of 001, and of Ooma 1st, North Kona, Hawaii identified by Tax Map Keys: (3) 7-3-010:056 and (3) 7-3-010:portion of 061 as shown on the attached maps labeled Exhibit A.

AREA:

34.86 acres, more or less.

ZONING:

Tax Map Key	Area	State Land Use Designation	County Zoning
(3) 2-4-020:005	7,685 sf	Urban	RS-7.5
(3) 2-4-020:006	7,685 sf	Urban	RS-7.5
(3) 2-4-020:054	7,369 sf	Urban	RS-7.5
(3) 2-4-033:018	1.7 acs	Urban	CN-10
(3) 2-5-010:Por of 001	~3.18 acs	Urban	RS-15
(3) 2-5-027:015	1.928 acs	Urban	RS-15
(3) 7-3-010:056	3.835 acs	Urban	A-5a
(3) 7-3-010:Pors of 061	~23.7 acs	Urban	A-5a & Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

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

CURRENT USE STATUS:

Vacant and unencumbered.

PURPOSE:

Affordable housing and related 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 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 County of Hawaii shall be responsible for compliance with Chapter 343, HRS, as to its

planned future use of the land. The proposed transfer of management authority action is a de minimis action that will probably have minimal or no significant impact on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-17, HAR.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Process and obtain the necessary change in Land Use Designation, Zone Change, Subdivision and any other land use approvals or permits appropriate for the proposed purpose;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 3) Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

REMARKS:

By letter dated February 7, 2022, Mayor Mitchell D. Roth requested the Board's approval to set aside to the County of Hawaii, the parcels identified above comprising approximately 34.86 acres. The County of Hawaii would like to develop these parcels for affordable housing purposes. In his letter, Mayor Roth indicated the potential development of these parcels represents a significant opportunity to address the affordable housing crisis on the Big Island.

Staff reviewed each property for its highest and best use potential. All properties are either zoned for residential or are adjacent to residential developments.

1. The first three parcels on the zoning list (located at the top of page 2) are vacant residential lots that are located within a developed residential community;
2. The fourth parcel, 1.7 acre, zoned CN-10 (neighborhood commercial) has had no interest for commercial development mostly due to the high infrastructure costs for commercial development in this area;
3. The fifth and sixth parcels are zoned for residential and are between existing residential communities;
4. The seventh and eighth parcels are located on the west-side of the island adjacent to several high-density residential areas.

Given the above staff believes that these properties are most suitable for housing

purposes.

The County of Hawaii is also requesting the Land Board’s favorable consideration of a right-of-entry permit for management purposes. This will allow the County and their consultants to start the necessary environmental studies, surveying, etc.

AGENCY COMMENTS:

A request for comments was sent to various government agencies and their responses are listed in the following table:

State Agencies	Response
Department of Agriculture	See comments below
Department of Hawaiian Homelands	No Response
Office of Conservation and Coastal Lands	No comments
Hawaii County Agencies	Response
Planning	No comments
Public Works	No Response
Water Supply	No Response
Office of Housing	No Response
Environmental Management	No Response
Other Agencies & Interested Parties	Response
Office of Hawaiian Affairs	No Response

The Department of Agriculture’s response is to strongly object to the planned residential affordable housing project on parcel TMKs (3) 7-3-010:056 & 061. These parcels are adjacent or in close proximity to the existing Keahole Agriculture Park where the majority of farming operations are plant nurseries. The objection stems from the possible negative impacts related to pesticide use and dust generated within the agriculture park during normal farming operations. Official established pesticide buffer zones, which only apply to grade schools (K-12), are currently 100’ from TMK boundaries of a grade school.

Staff responded to the Department of Agriculture’s objection by pointing out that the “portion” of parcel 061 (which is closest and adjacent to the agriculture park) that will be set aside to the County of Hawaii for affordable housing is approximately 900 feet distant from the nearest parcel in the agriculture park; far outside the buffer zone requirements established for grade schools. The Department of Agriculture acknowledges this fact but wishes to be on the record

as opposing the residential housing development near the Keahole Agriculture Park.

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 11-200.1-15, 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 as a de minimis action.
2. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the County of Hawaii 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 an immediate management right-of-entry permit to the County of Hawaii covering the subject areas, 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 remain in force for one year after written acceptance by the County of Hawaii or until the set-aside is complete, whichever shall first occur. The Chairperson is authorized to renew 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,

Candace Martin

Candace Martin
Land Agent

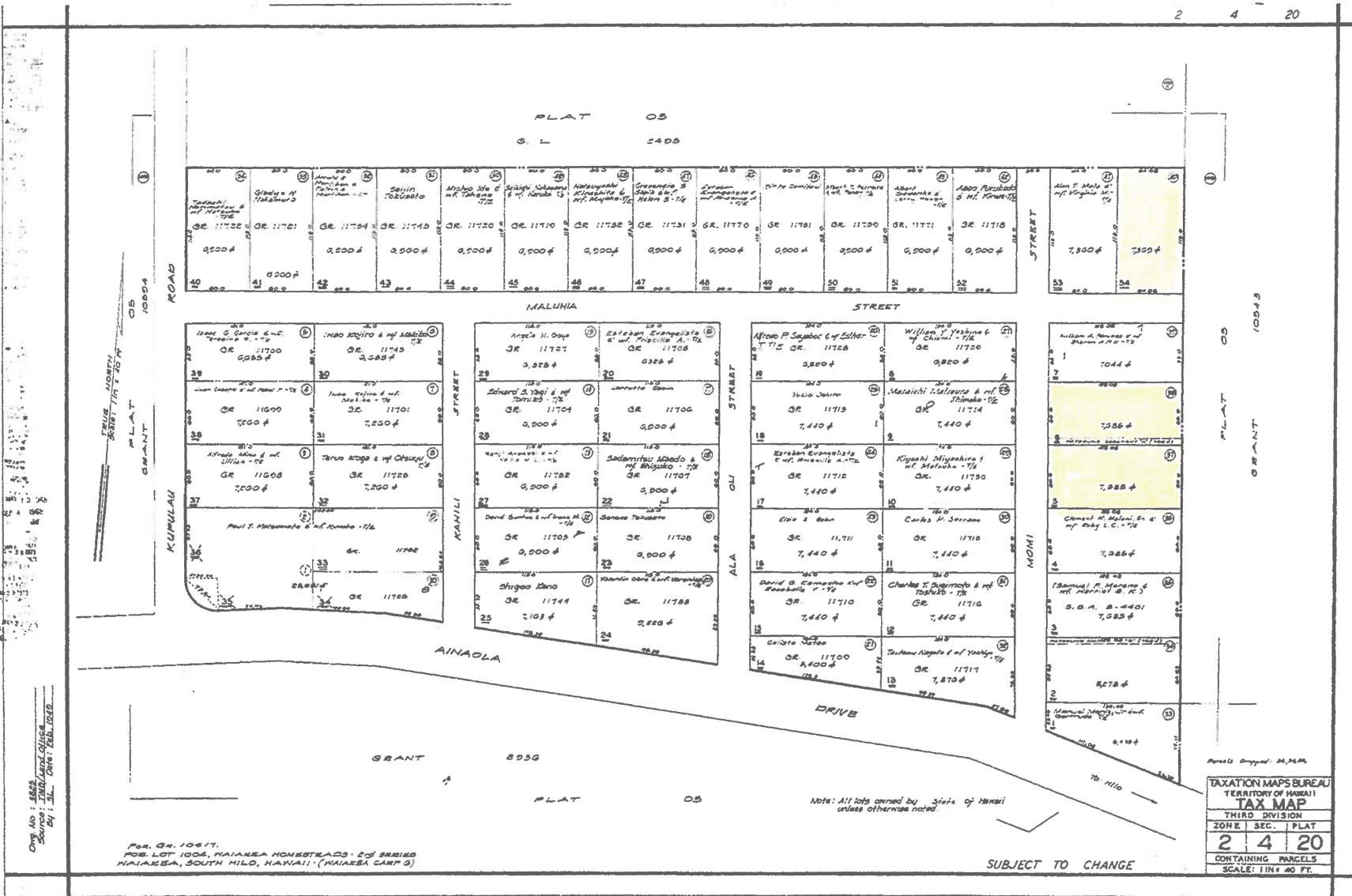
KOM
JCH

APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson

RT



Comp. No. 1-5822
 Source: T.M.B. Land Office
 By: J.L. Case 7-20-58

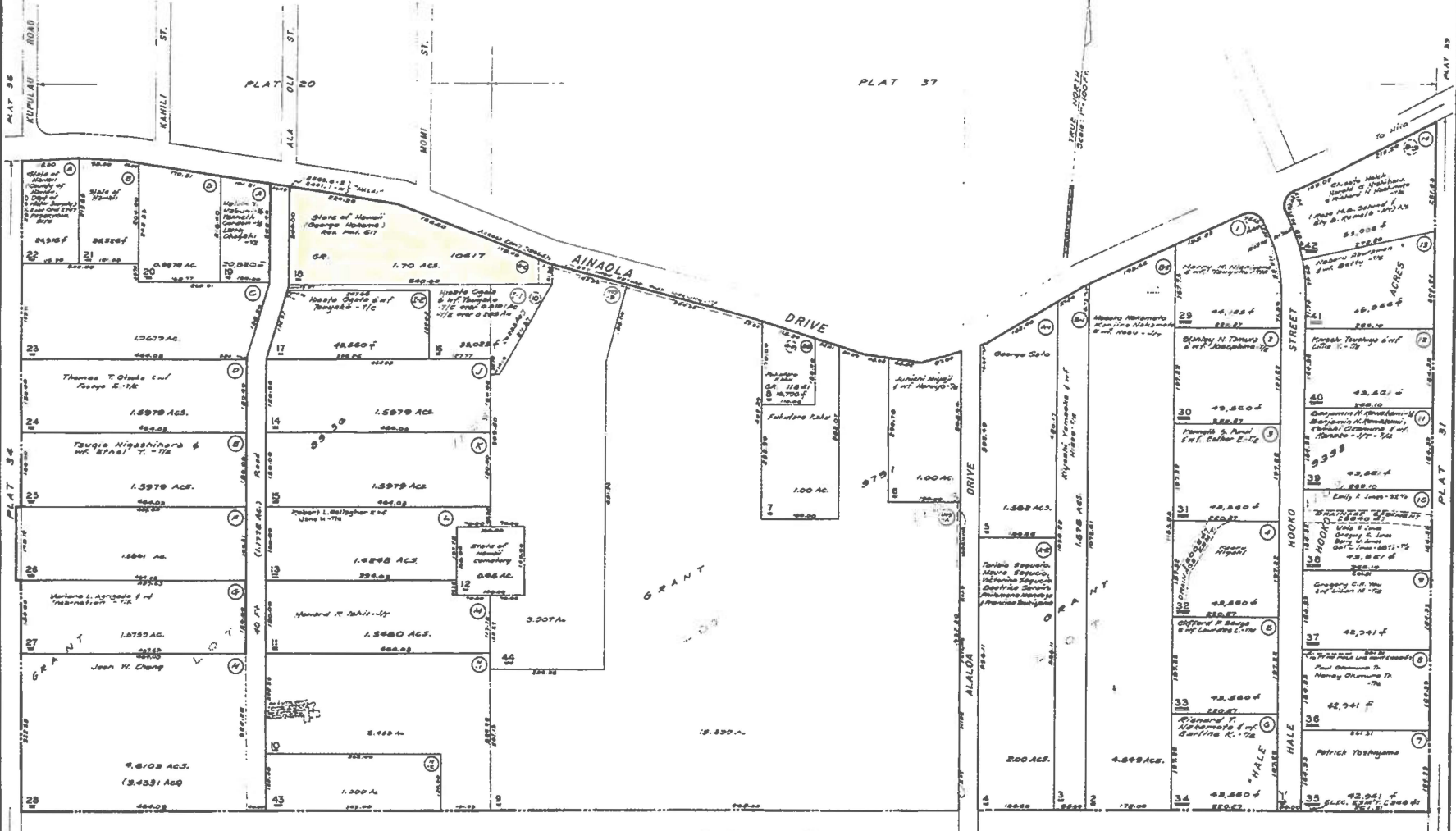
FOR GR. 10517.
 FOR LOT 1006, HANALEI HOMESTEADS, 2ND SERIES
 HANALEI, SOUTH HILLO, HAWAII (HANALEI CAMP 3)

Note: All lots owned by State of Hawaii unless otherwise noted.

SUBJECT TO CHANGE

Parish Apprais 24, 24, 24

TAXATION MAPS BUREAU
 TERRITORY OF HAWAII
TAX MAP
 THIRD DIVISION
 ZONE SEC. PLAT
 2 4 20
 CONTAINING PARCELS
 SCALE: 1 IN = 40 FT.



DWG. NO. 8715
 SOURCE: THE MAPS BUREAU
 BY: [unclear] NEW YORK, 1980

2ND SERIES
 For WAIKĀEA HOMESTEAD, SOUTH HILO, HAWAII (formerly par of 2-4-05)

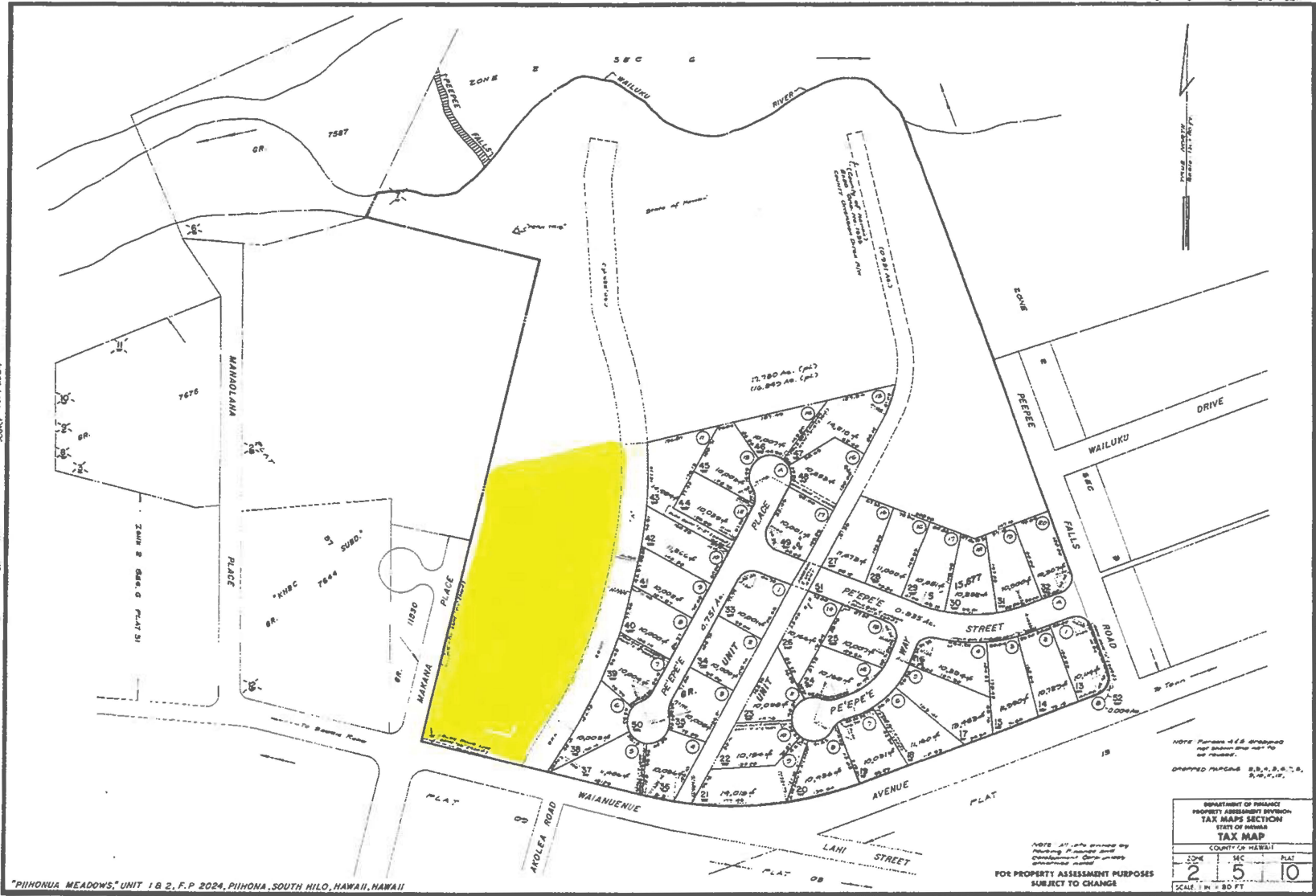
Dropped Parcels:
 SUBJECT TO CHANGE

DEPARTMENT OF THE TAX COMMISSION		
TAXATION MAPS BUREAU		
STATE OF HAWAII		
TAX MAP		
THIRD	DIVISION	
2	4	33
CONTAINING		PARCELS
SCALE: 1 IN. = 100 FT.		

WAIKĀEĀ UKA PROPERTIES



02/16/2018 - 08/21/2021



SOURCE: F.P. 8084
 DATE: 11/23/23
 DATE: 11/23/23

"PIHONU MEADOWS," UNIT 1 & 2, F.P. 2024, PIHONA, SOUTH HILO, HAWAII, HAWAII

NOTE: Parcels are drawn
 not shown and not to
 be used.
 DOTTED LINES S.S., S.S., S.S.,
 S.S., S.S., S.S.

NOTE: All info derived by
 Planning Department
 Development Dept. on 11/23/23
 Government owned
 FOR PROPERTY ASSESSMENT PURPOSES
 SUBJECT TO CHANGE

DEPARTMENT OF FINANCE		
PROPERTY ASSESSMENT DIVISION		
TAX MAPS SECTION		
TAX MAP		
COUNTY OF HAWAII		
ZONE	SEC	PLAT
2	5	10
SCALE: 1" = 80 FT		



Proposed Affordable
Housing Parcel
Portion of TMK: 2-5-010: 01
Approx. 3.18 Acres

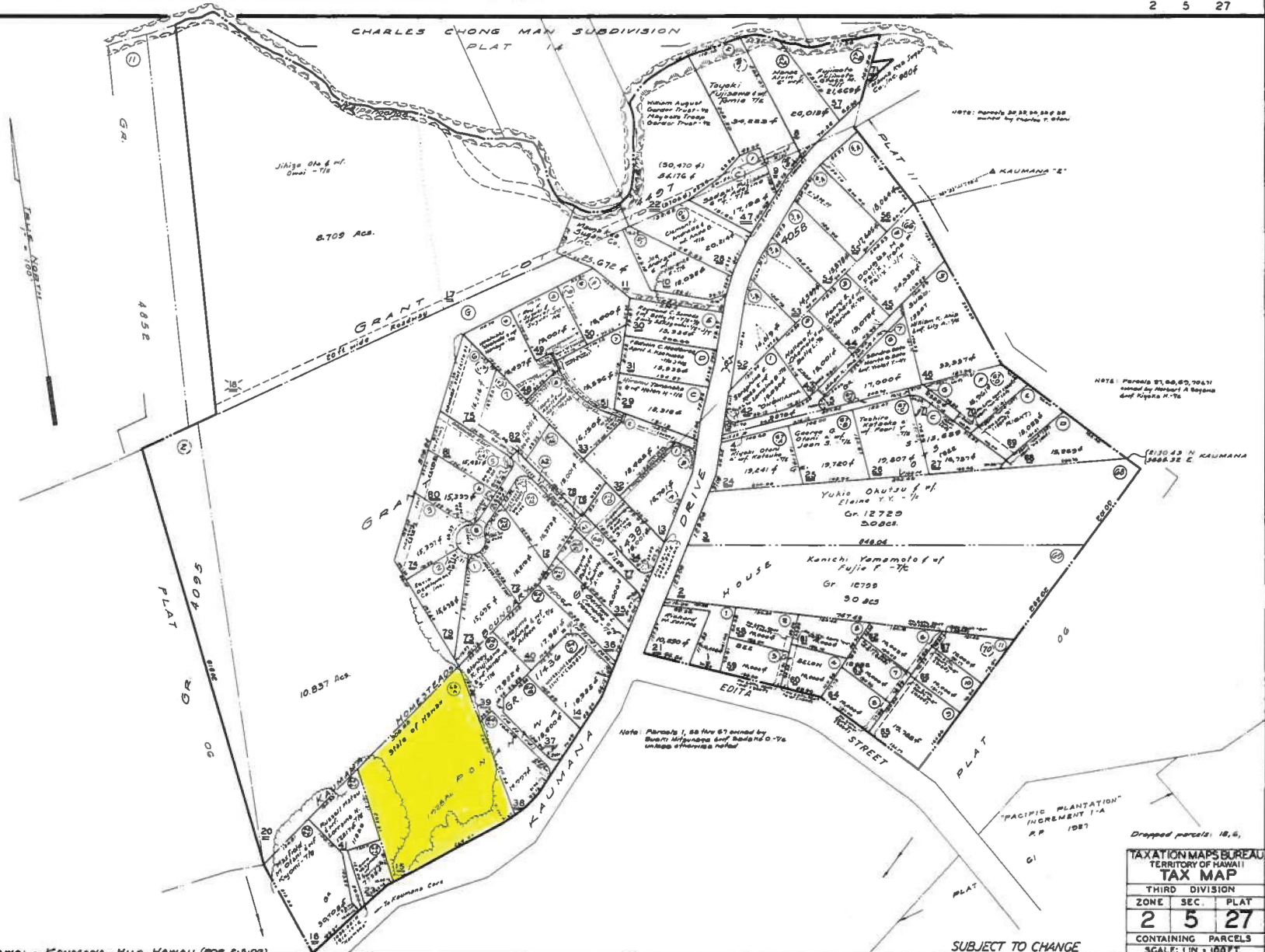
Makana Place

Peepee Place

Drainage Ditch

Waiannuene Avenue

CHARLES CHONG MAN SUBDIVISION
PLAT 12



NOTE: Parcels 28, 29, 30, 31, 32, 33 made by Plat 12, 27

NOTE: Parcels 27, 28, 29, 30, 31 owned by Plaintiff A. Wajima and Nipura H-76

21,30.43 N
1,866.32 E
KAUMANA

Note: Parcels 1, 28 thru 37 owned by Society of Friends and dated 8-76 unless otherwise noted

"PACIFIC PLANTATION"
INCREMENT 1-A
R.P. 1987

Dropped parcels: 18, 6,

TAXATION MAPS BUREAU		
TERRITORY OF HAWAII		
TAX MAP		
THIRD DIVISION		
ZONE	SEC.	PLAT
2	5	27
CONTAINING PARCELS		
SCALE: 1 IN = 100 FT.		

SUBJECT TO CHANGE

Eng No. 3848
Source: TMB
By: HT Date: May, 1940

FOR DE PRINAHAWAI & KAUMANA HILLS, HAWAII (FOR 8-3-09)



KATANA DR

BASSET PL

EDI ST

NEEMAN ST

DATE: September 5, 2018 BY: AK SOURCE: 1433, 2184, Sub-04-000391, & Sub-1E-001823



**Keahole Agriculture
Park shown with green
slashes. Yellow
represents area for
affordable housing.**

Dropped: 1, 4, 5, 8 to 28 incl., 27, 28, 29, 30, 32, 34, 36, 37, 38, 47, 48, 49, 50, 55

Owners, lessees, & vendees name recorded on this tax map print may not be current. Please refer to computer and history sheets for current owners.

DEPARTMENT OF FINANCE PROPERTY ASSESSMENT DIVISION MAPPING BRANCH STATE OF HAWAII TAX MAP		
COUNTY OF HAWAII		
ZONE	SECTION	PLAT
7	3	10
SCALE: 1 IN = 1000 FT.		
PRINTED:		

MAKAULA-OOMA-1ST, NORTH KONA, HAWAII

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE



Kaiminani Dr

Ane Keohokalole

TMK: 7-3-010: 056
3.835 Acres

Proposed Affordable
Housing Parcel
Approx. 18.9 Acres

120

Proposed Affordable
Housing Parcel
Approx. 4.8 Acres

Proposed Ane Keohokalole
Phase III Right of Way
Approx. 3.5 Acres