

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

April 12, 2024

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

Land Board Members:

SUBJECT: Issuance of a Right-of-Entry Permit to Kaikor Construction Group, Inc., for Laydown and Staging area purposes at the Haleiwa Small Boat Harbor, Haleiwa, Waialua, Island of Oahu, Hawaii, Tax Map Key (TMK): (1) 6-6-002:005 (por.) and (1) 6-6-001:025 (por.).

And

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

APPLICANT:

Kaikor Construction Group, Inc., a Domestic Profit Corporation, whose mailing address is 94-1388 Moaniani Street Unit 401, Waipahu HI 96797.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Haleiwa Small Boat Harbor, Haleiwa, Waialua, Island of Oahu, Hawaii, Tax Map Key (TMK): (1) 6-6-002:005 (por.) and (1) 6-6-001:025 (por.), hereinafter referred to as the "Premises" as shown on the map labeled **Exhibit A** and attached hereto.

AREA:

Approximately 3,000 square feet, more or less.

ZONING:

State Land Use District: Urban
County of Hawaii: B-1 Neighborhood Business District, I-3 Waterfront Industrial District, R-5 Residential District

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:

Unencumbered.

CHARACTER OF USE:

For a contractor's laydown and staging area, meant to stage construction equipment and materials, stockpile of construction debris such as concrete spall debris, portable toilet, enclosed jobsite container, construction repair material and the access point for work on the underside of the bridge for this project.

TERM:

April 27, 2024, to March 23, 2025.

CONSIDERATION:

Gratis.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO
Registered business name confirmed:	YES <u>X</u>	NO
Applicant in good standing confirmed:	YES <u>X</u>	NO

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred 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, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing," Part 1, Item No. 44, which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

REMARKS:

Kaikor Construction Group, Inc. is requesting a right-of-entry (“ROE”) permit on a portion of Government lands situated at Haleiwa Small Boat Harbor, hereinafter referred to as the “Premises,” as shown on the map labeled **Exhibit A-1 and A-2** and attached hereto. The premises will be used as a staging and laydown area for the rehabilitation of Haleiwa Bridge, a project for the City and County of Honolulu Department of Design and Construction Civil Division.

The premises will be used to stage construction equipment and materials, stockpile of construction debris such as concrete spall debris and construction debris, portable toilet, enclosed jobsite container, construction repair material and the access point for work on the underside of the bridge for this project. See **Exhibit B** for a list of equipment that will be stored in the staging area. The premises is approximately 3,000 square feet, more or less and will be enclosed with a temporary construction barrier during the duration of the project from April 27, 2024, to March 23, 2025. See **Exhibit C** for an enlarged description of the use of the staging area.

Staff recommends the issuance of the ROE to Kaikor Construction Group, Inc. The applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, 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 Kaikor Construction Group, Inc. for the use of a portion of Government Lands at Haleiwa Small Boat Harbor, within the Laydown and Staging 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; and
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



MEGHAN L. STATTS, Assistant Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N. S. CHANG, Chairperson
Board of Land and Natural Resources

Attachment:

- Exhibit A-1 Location on Oahu
- Exhibit A-2 Site Location
- Exhibit B List of Equipment
- Exhibit C Breakdown of Staging Area

EXEMPTION NOTIFICATION

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

Project Title:	Issuance of Right-of-Entry Permit to Kaikor Construction Group, Inc., for the use of Haleiwa Small Boat Harbor Laydown and Staging area from April 27, 2024 to March 25, 2025, at the Haleiwa Small Boat Harbor, Haleiwa, Waialua, Island of Oahu, Hawaii, Tax Map Key (TMK): (1) 6-6-002:005 (por.) and 6-6-001:025 (por.).
Project / Reference No.:	
Project Location:	Haleiwa Small Boat Harbor, Haleiwa, Waialua, Island of Oahu, Hawaii, Tax Map Key (TMK): (1) 6-6-002:005 (por.) and 6-6-001:025 (por.).
Project Description:	Issuance of Right-of-Entry Permit to Kaikor Construction Group, Inc., for the use of Haleiwa Small Boat Harbor Laydown and Staging area for the Rehabilitation of Haleiwa Bridge.
Chap. 343 Trigger(s):	Use of State lands
Exemption Class No(s):	In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred 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, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing," Part 1, Item No. 44, which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	There are no permanent above ground structures. Activities in the subject area have resulted in no known significant impact to the natural and environmental resources in the area.
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 not change negligently from what is existing.
Analysis:	Based on the above mentioned, staff believes there would be no significant impact to the environment.
Consulted Parties:	None

Declaration:

The Board find that this project will probably have minimal or no significant effect on the environment and declares that this project is exempt from the preparation of an environmental assessment.

Exhibit A-1

Location on Oahu



Exhibit A-2

Location of Staging Area and Project

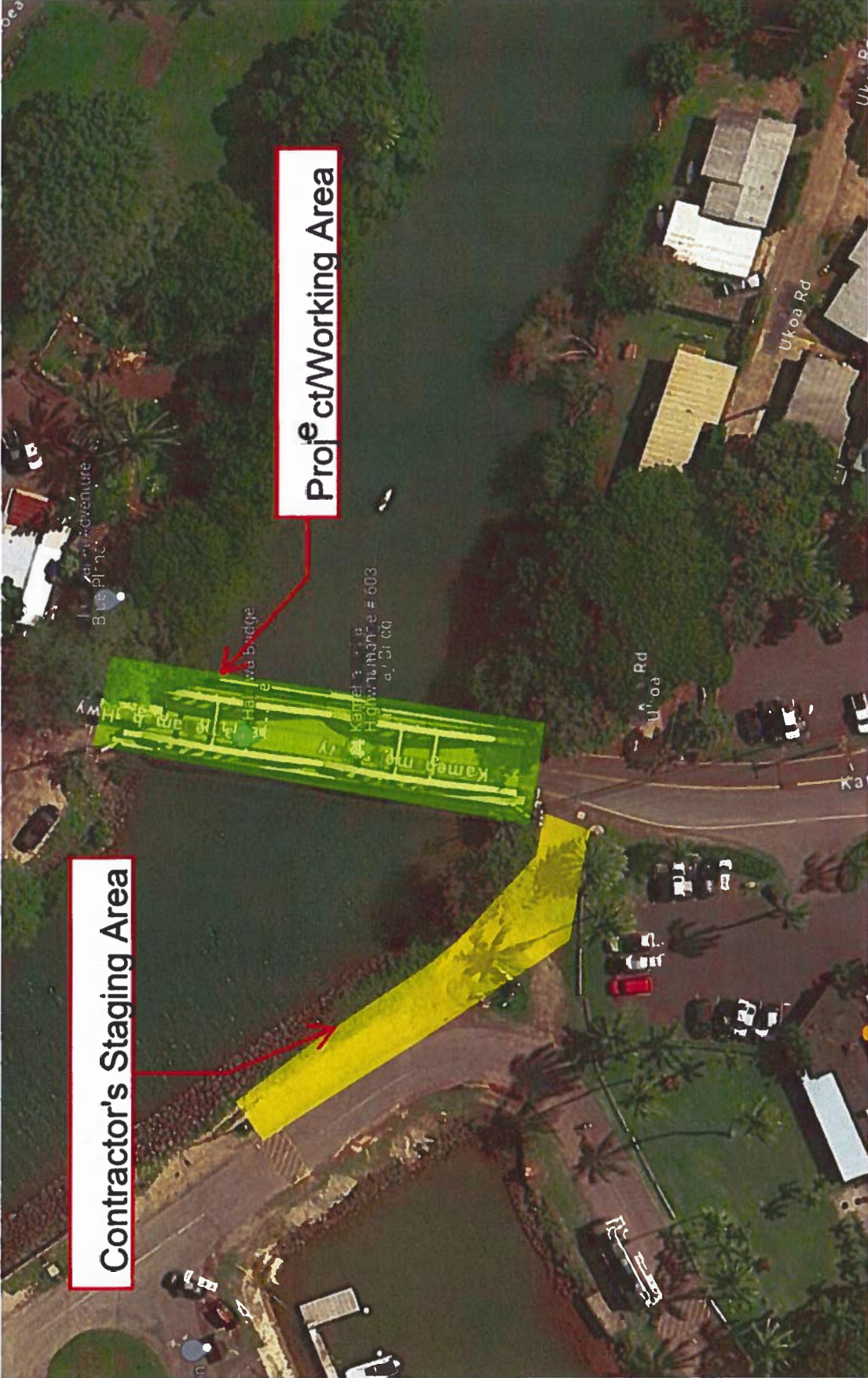


Exhibit B

List of Construction Equipment

LIST OF EQUIPMENTS

CONTRACTOR / SUB-CONTRACTOR	EQUIPMENT
Kaikor Construction Group, Inc.	
	Grinder
	Portable Cut-off Saw
	Foreman's Utility Truck
	Flatbed Service Truck
	Portable Toilet
	Multi-Purpose Extension Ladders
	Bush Hammers
	Sullair 185 Compressor
	Pneumatic Demo Guns
	Gradall 534 D-10 Forklift
	Gradall 534 D-9 Forklift
	Hammer Drills
	Various Carpenter & Mason Handtools
	60# Demo Gun
	Air Compressor
	Generator
Kamori Painting	
	Foreman Truck
David's Fencing Inc.	Pickup Truck
	Flatbed Truck

