

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

October 25, 2024

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

PSF No.: 23HD-062

Hawaii

Cancellation from Governor's Executive Order No. 2188 and Reset Aside to County of Hawaii for County of Hawaii Maintenance Base Yards and Related County Purposes, Waiakea, South Hilo, Hawaii, Tax Map Key: (3) 2-1-013:148.

CONTROLLING AGENCY:

County of Hawaii

APPLICANT:

County of Hawaii

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waiakea, South Hilo, Hawaii identified by Tax Map Key: (3) 2-1-013:148, as shown on the attached map labeled Exhibit A.

AREA:

34.66 acres, more or less.

ZONING:

State Land Use District: Agricultural
County of Hawaii CZO: Agriculture 20a, (20 acre minimum)

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:

Governor's Executive Order No. 2188 setting aside 40 acres to County of Hawaii for Quarry and Borrow Pit Site purposes.

PURPOSE OF SET ASIDE:

County of Hawaii Maintenance Base Yards and Related County 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 proposed transfer of management authority is a de minimis action that will probably have minimal or no significant effect 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) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost; and
- 2) Comply with all Federal, State and County laws, rules and ordinances, including environmental compliance related to any future development.

REMARKS:

At its meeting of July 10, 1964, agenda item F-7, the Board of Land & Natural

Resources (Board) recommended to the Governor issuance of Governor’s Executive Order No. 2188 (GEO2188) to the Hawaii County Board of Supervisors for Quarry and Borrow Pit Site. The subject parcel consisted of 40.00 acres and is described on Government Survey Map C.S.F. No. 14,344.

At its meeting of October 23, 2015, agenda item D-1, the Board approved the partial withdrawal of 5.34 acres of land under GEO2188 for set aside to the County of Hawaii for it’s Mass Transit Agency Base Yard and Maintenance Facility.

Correspondence was received at the Hawaii District Land Office on May 30, 2023 from the County of Hawaii (County), requesting the use/purpose of the subject parcel be changed from “quarry and borrow pit site” to “maintenance base yards and related County purposes”.

The County has not used the subject parcel as a quarry and borrow pit site for a number of years as it has developed other areas for such purposes.

The County intends to use the subject parcel as a maintenance/base yard facility for various County agencies. The development and utilization of the adjacent Mass Transit Agency Base Yard and Maintenance Facility has proven optimal for County operations. Use of the subject parcel for various County agencies will allow centralization of maintenance facilities, which is thought will increase the efficiency of those operations.

Currently, there are no alternatives for a higher and better use. The proposed use will fully utilize the requested lands.

RECOMMENDATION: That the Board:

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 as a de minimis activity.
2. Approve of and recommend to the Governor issuance of an executive order canceling Governor’s Executive Order No. 2188 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.
3. 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.

Respectfully Submitted,

Candace Martin

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Candace M. Martin

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Land Agent

APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson

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EXHIBIT A

