

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

October 11, 2024

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

Hawai'i

Set Aside to the Department of Agriculture, Pursuant to Act 90 Session Laws of Hawaii 2003, for Pasture, Intensive Agriculture, and Apiary Purposes on the Island of Hawaii, See Exhibit B for List of Tax Map Keys to be set aside.

APPLICANT:

State of Hawaii, Department of Agriculture (DOA).

LEGAL REFERENCE:

Sections 171-11 and 166E-3, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated island wide, as shown on the attached maps labeled Exhibit A.

AREA:

See Exhibit B, to be further determined by DAGS Survey Division.

ZONING:

State Land Use District: See Exhibit B
County of Hawaii CZO: See Exhibit B

TRUST LAND STATUS:

See Exhibit B

CHARACTER OF USE:

Agriculture 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 use and set-aside to the Department of Agriculture 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. (Exhibit C)

APPLICANT REQUIREMENTS:

Applicant shall be required to:

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

REMARKS:

BACKGROUND:

The set-aside of agriculture lands to (DOA) is pursuant to Act 90, Session Laws of Hawaii 2003 (Act 90), later codified at Chapter 166E, HRS. The purpose of Act 90 is to ensure the long-term productive use of public lands leased or available to be leased by the Department of Land and Natural Resources (DLNR) for agricultural purposes by allowing those lands to be transferred to and managed by DOA.

To date, DLNR has processed executive orders setting aside approximately 24,528 acres to DOA pursuant to Act 90. In 2023, BLNR and BOA approved the transfer to DOA of an additional 24,767 acres in Kau, Hawaii, under lease and revocable permit to Kapapala Ranch, but survey and subdivision are required before the executive order(s) for the transfer can be completed. DOA staff

conducted due diligence for the transfer of additional properties statewide and at its meeting of October 24, 2023, BOA approved the transfer of another 21,672 acres pursuant to Act 90.

REQUEST:

DOA has identified 44 leases and revocable permits on Hawaii Island, including leases and revocable permits for pasture, agriculture, intensive agriculture, and apiary uses, that DOA requests be transferred to it pursuant to Act 90. Of those 44 leases and revocable permits, the Division of Forestry and Wildlife (DOFAW) has requested that DLNR retain Revocable Permit No. 7693 to Kuahiwi Contractors Inc. for pasture use over 472 acres in Kau. Additionally, DOFAW previously indicated that it needs to establish public or management access over 9 of leases and permits before the lands are transferred to DOA. Those 9 leases and permits will require further coordination with DOFAW on the location of accessways before staff can make a recommendation to the Board on their transfer and will therefore be taken up at a later meeting.

Accordingly, at the present time, staff understands that DOFAW is agreeable to the transfer of the following 34 Hawaii Island leases and revocable permits to DOA without imposition of special conditions regarding access over the land.

Doc. No.	Lessee	Tax Map Key (TMK)	Character of Use	Leased Area (Acreage)
RP7670	Edward A.K. & Lucia Lee	(3) 1-2-008:001	Pasture	100
GL5542	Kelonukai Ranch, LLC	(3) 1-8-010:038, 043, 044 and 046	Pasture	227.74
RP7959	Spencer Nagata	(3) 2-3-030:001; 2-3-032:001	Pasture	89.08
GL5324	Russell J. Chin	(3) 2-4-004:012, 013, 021, 022	Pasture	119.694
GL6102	Yun Yan Huang	(3) 2-9-002:047	Intensive Ag.	6.793
RP 7696	Peter H. Jose	(3) 4-1-004:031	Pasture	65.572
RP7942	Peter & Lisa Abarcar	(3) 4-4-003:003 and 047	Pasture	27.32
RP7705	Anthony & Edna Gomes	(3) 4-4-010:013	Pasture	3.554
GL5966	Walter Dudley Child III	(3) 4-4-013:011	Pasture	20.878
GL5571	Dr. Frederick Holschuh	(3) 4-5-011:006	Pasture	13.502
GL5330	Jeremy S. Lewis	(3) 5-5-003:013, 019	Pasture	157.32
RP7827	Kukuipahu Ranch, LLC	(3) 5-6-001:001	Pasture	231.08
RP7658	Parker Ranch, Inc.	(3) 5-6-001:035	Pasture	53.553
RP7659	Parker Ranch, Inc.	(3) 5-7-001:004	Pasture	853.71
RP7660	Parker Ranch, Inc.	(3) 5-7-001:009	Pasture	152.29
RP7661	Parker Ranch, Inc.	(3) 5-7-001:010	Pasture	1610.58

RP7153	Parker Ranch, Inc.	(3) 5-8-001:002 005 and 006	Pasture	981.02
RP7649	Parker Ranch, Inc.	(3) 5-8-002:003	Pasture	191.35
RP7650	Parker Ranch, Inc.	(3) 5-8-002:005	Pasture	107
RP7651	Parker Ranch, Inc.	(3) 5-8-002:006	Pasture	23.8
GL5333	G&C Freitas Ranch, Inc.	(3) 5-8-003:007	Pasture	83.21
RP7643	Parker Ranch, Inc.	(3) 6-2-001:011	Pasture	144
RP7446	Guy K. Schutte	(3) 6-4-031:007, 009, and 010	Pasture	23.756
GL4464	Parker Ranch, Inc.	(3) 6-5-001:006	Pasture	135
GL4465	Parker Ranch, Inc.	(3) 6-5-001:020	Pasture	420.17
RP7820	Volcano Island Honey Co.	(3) 6-9-001:015	Apiary	5
RP6022	Daleico Ranch	(3) 9-3- 003:035,036	Pasture	3.14
RP7852	Ermino Mazzarino	(3) 9-4-003:014	Intensive Ag.	2.439
RP7765	Richard & Donna Lee Souza	(3) 9-5-012:002	Pasture	152.16
RP 7709	Walter D. Andrade	(3) 9-5-012:018	Pasture	320
RP7667	B.K. Livestock, Co. Inc.	(3) 9-5-019:001	Pasture	83.32
RP7694	B.K. Livestock, Co. Inc.	(3) 9-5-019:002, 017	Pasture	431
RP7761	Randolph Cabral	(3) 9-6-002: 013	Pasture	37
RP7838	Kimo I. Dacalio	(3) 9-6-012:004	Pasture	150.61

Several of the parcels on the list approved by the BOA for transfer at its October 24, 2023 meeting already had BLNR approval for transfer and staff in the Hawaii, Maui and Kauai Districts, as well as the Support Branch in Honolulu, are working to complete the executive orders for the lands that have approval of both boards. However, the bulk of the parcels on BOA's October 24, 2023 approval list do not yet have BLNR approval for transfer, with the vast majority of those parcels located on Hawaii Island.

The 9 leases and 25 revocable permits listed encumber a combined total area of 5,260.741 acres with the majority of the dispositions (31) in use for pasture purposes along with two intensive agriculture properties and one apiary permit. The DOA will assume management responsibilities for the properties under the current dispositions.

Comments were solicited from State, County and Federal agencies. There were no objections to the proposed set aside for the parcels listed above.

<i>County of Hawaii Agencies</i>	<i>Comments</i>
Planning	No Response
Public Works	No Response
Office of Housing	No Response
Fire Department	No Response

<i>State of Hawaii Agencies</i>	<i>Comments</i>
DLNR-Historic Preservation	No Response
DLNR – DOFAW	Comments Included Above
DHHL	No Response
<i>Other Agencies</i>	<i>Comments</i>
Office of Hawaiian Affairs	No Response
U.S. Army Corps of Engineers	No Response

RECOMMENDATION:

That the BLNR, 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 action 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 Department of Agriculture 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;
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
 - E. In the event the lands are no longer needed for agriculture purposes, the executive order setting as the lands to the Department of Agriculture shall be canceled or amended, as appropriate, and the lands that are no longer needed shall be

returned to the inventory of Department of Land and Natural Resources, except with prior approval of the Board of Land and Natural Resources.

Respectfully Submitted,

Gordon Heit

KEM

Gordon C. Heit
District Land Agent

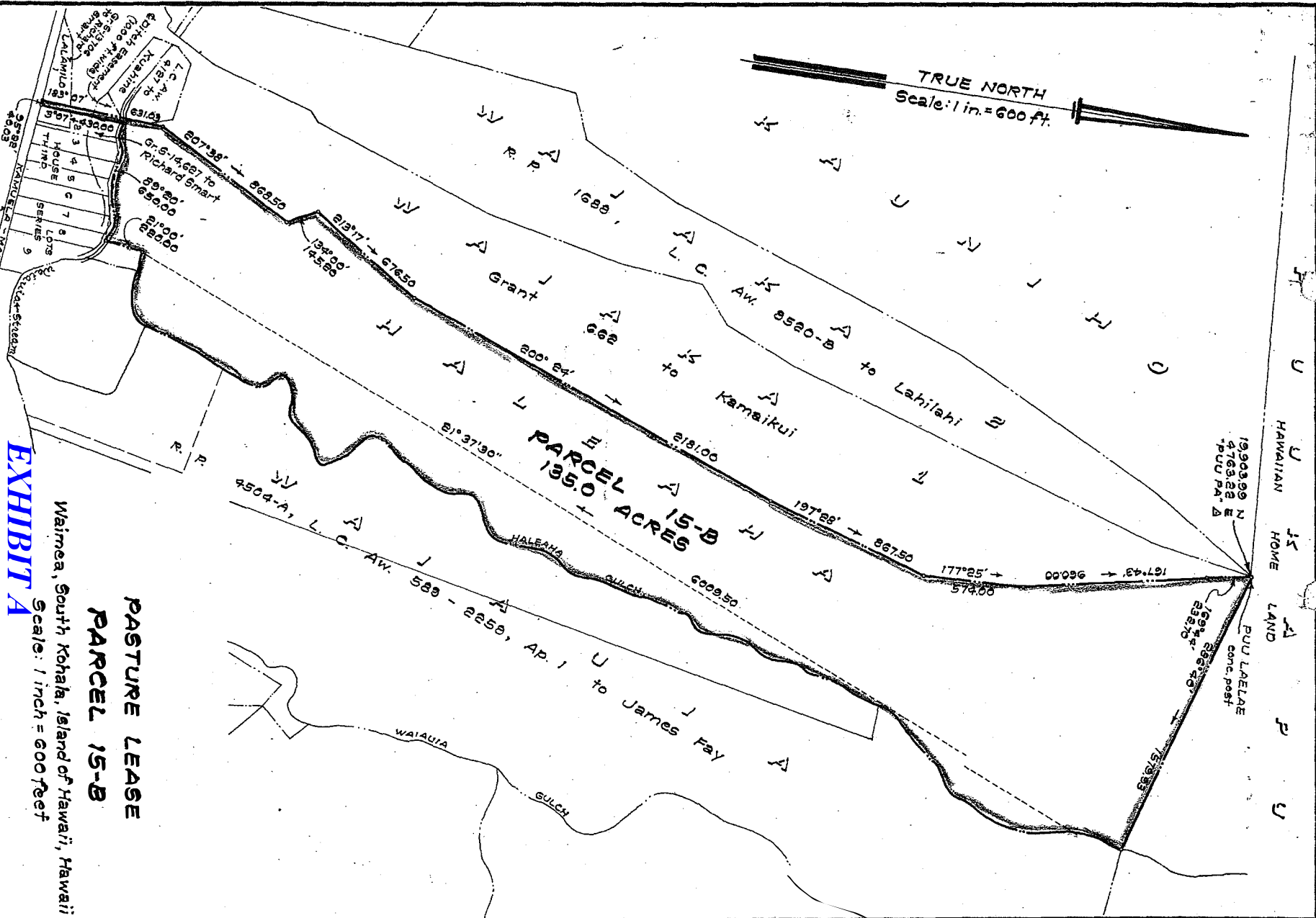
APPROVED FOR SUBMITTAL:



RT

Dawn N. S. Chang, Chairperson

TRUE NORTH
Scale: 1 in. = 600 ft.



**PASTURE LEASE
PARCEL 15-B**

Waimera, South Kohala, Island of Hawaii, Hawaii
Scale: 1 inch = 600 feet

EXHIBIT A

GL S-4464

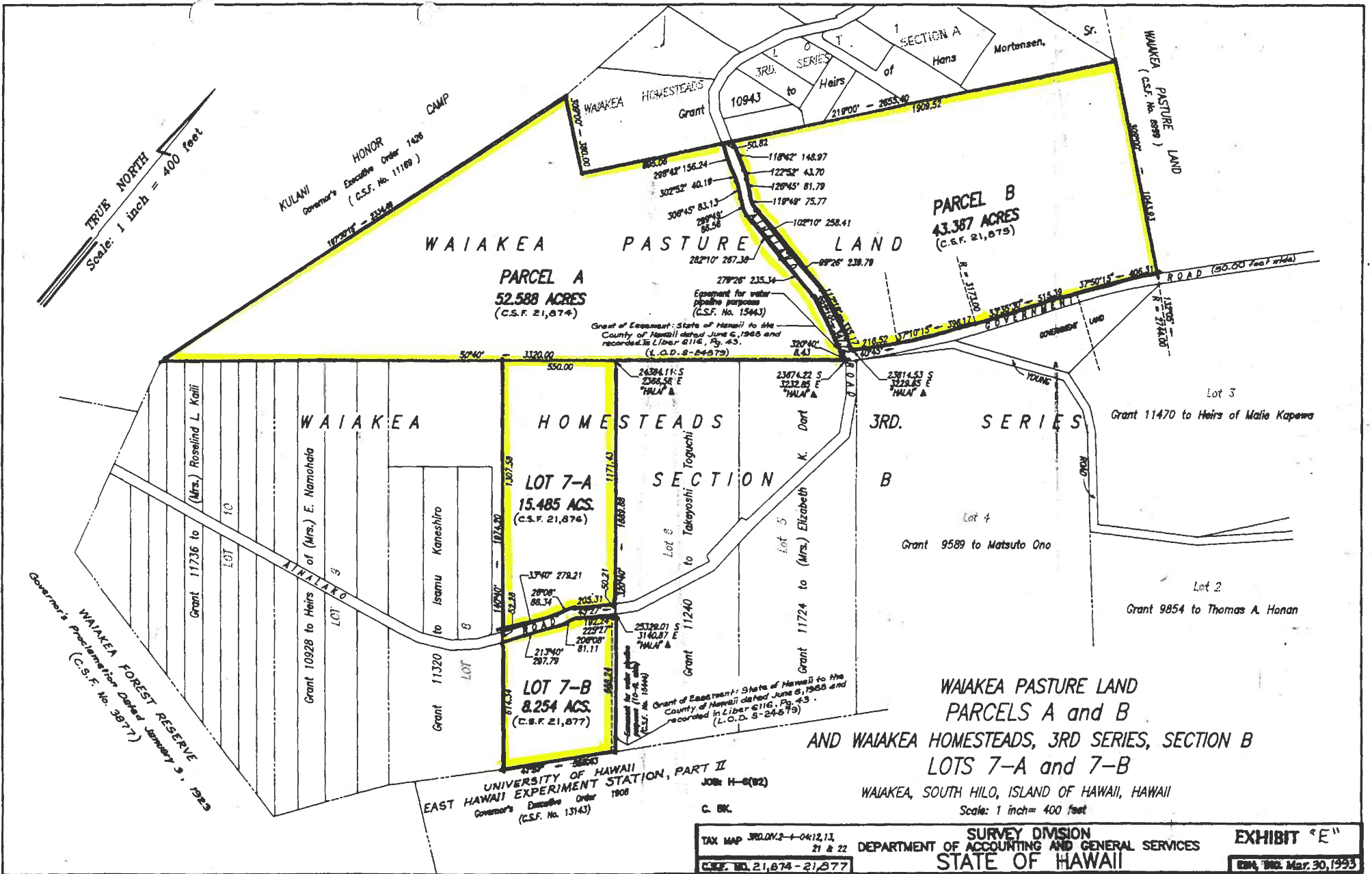
JOB H-1065
C.B.K.

TAX MAP G-3-01

C. S. F. No. 17,344

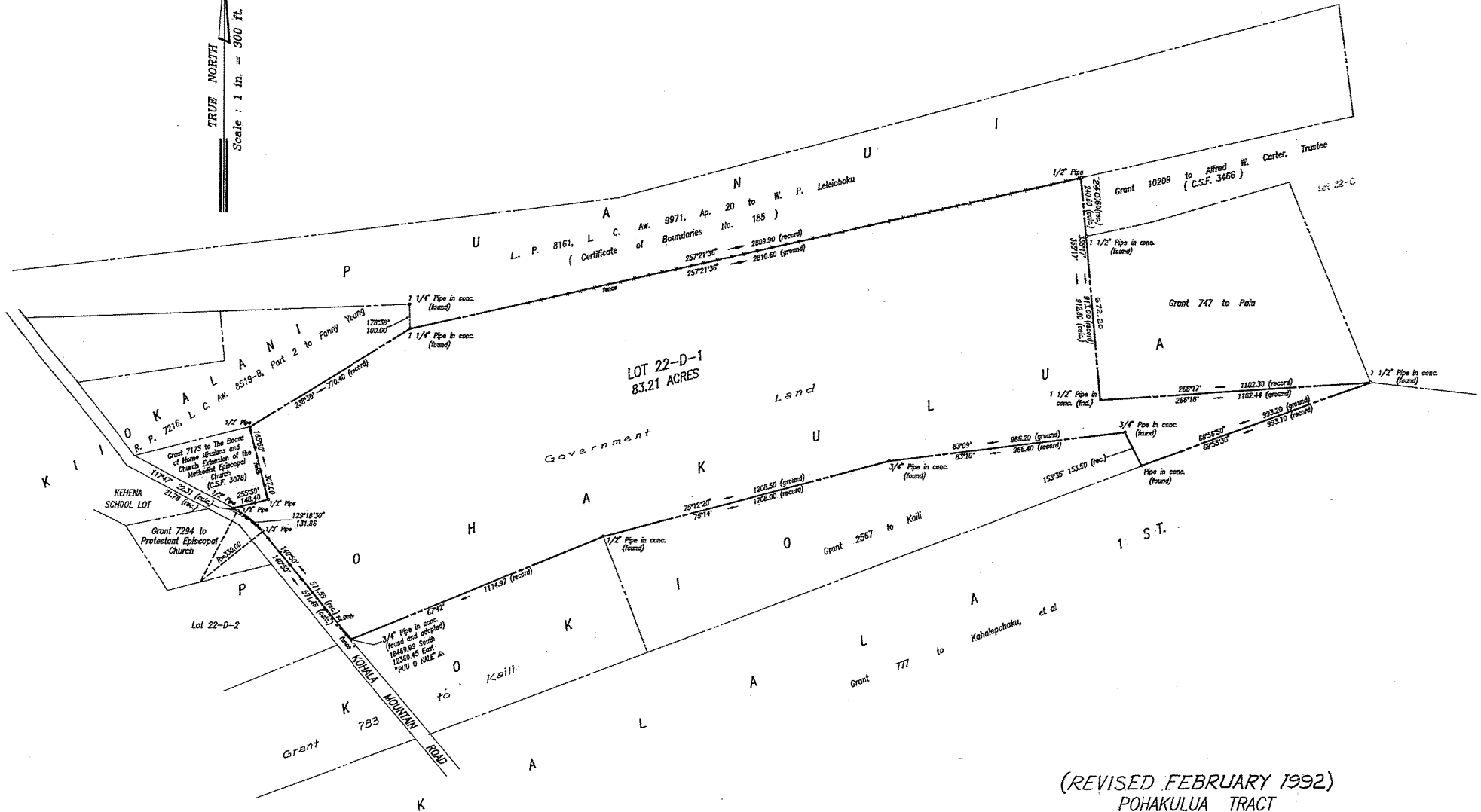
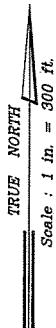
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
SURVEY DIVISION
STATE OF HAWAII

R.K. Feb. 26, 1975



GL S-5324

EXHIBIT A



LOT 22-D-1
83.21 ACRES

(REVISED FEBRUARY 1992)

POHAKULUA TRACT

LOT 22-D-1

POHAKULUA, NORTH KOHALA, ISLAND OF HAWAII, HAWAII

SCALE: 1 in. = 300 FT.

GL S-5333

JOB H-6(92)

C. BK.

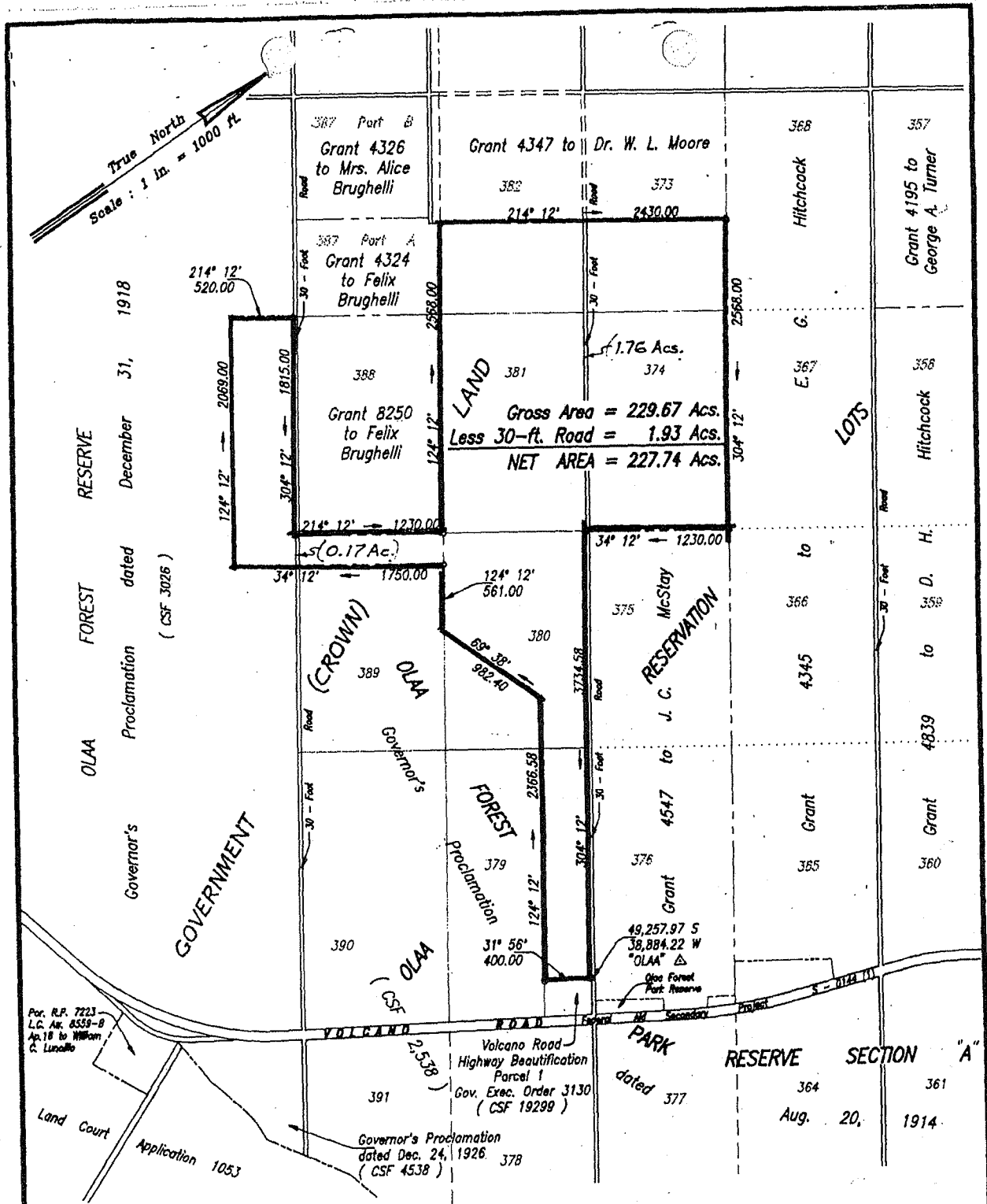
TAX MAP 3RD.DIV.5-8-03:7

C.S.F. NO. 21,731

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

ESH, INC. Feb. 6, 1992

EXHIBIT A



PORTION OF THE GOVERNMENT
(CROWN) LAND OF OLAA
Olaa, Puna, Island of Hawaii, Hawaii
Scale 1 inch = 1000 feet

PRELIMINARY
Department of the
Attorney General

JOB H-6(92)

REDUCED NOT TO SCALE

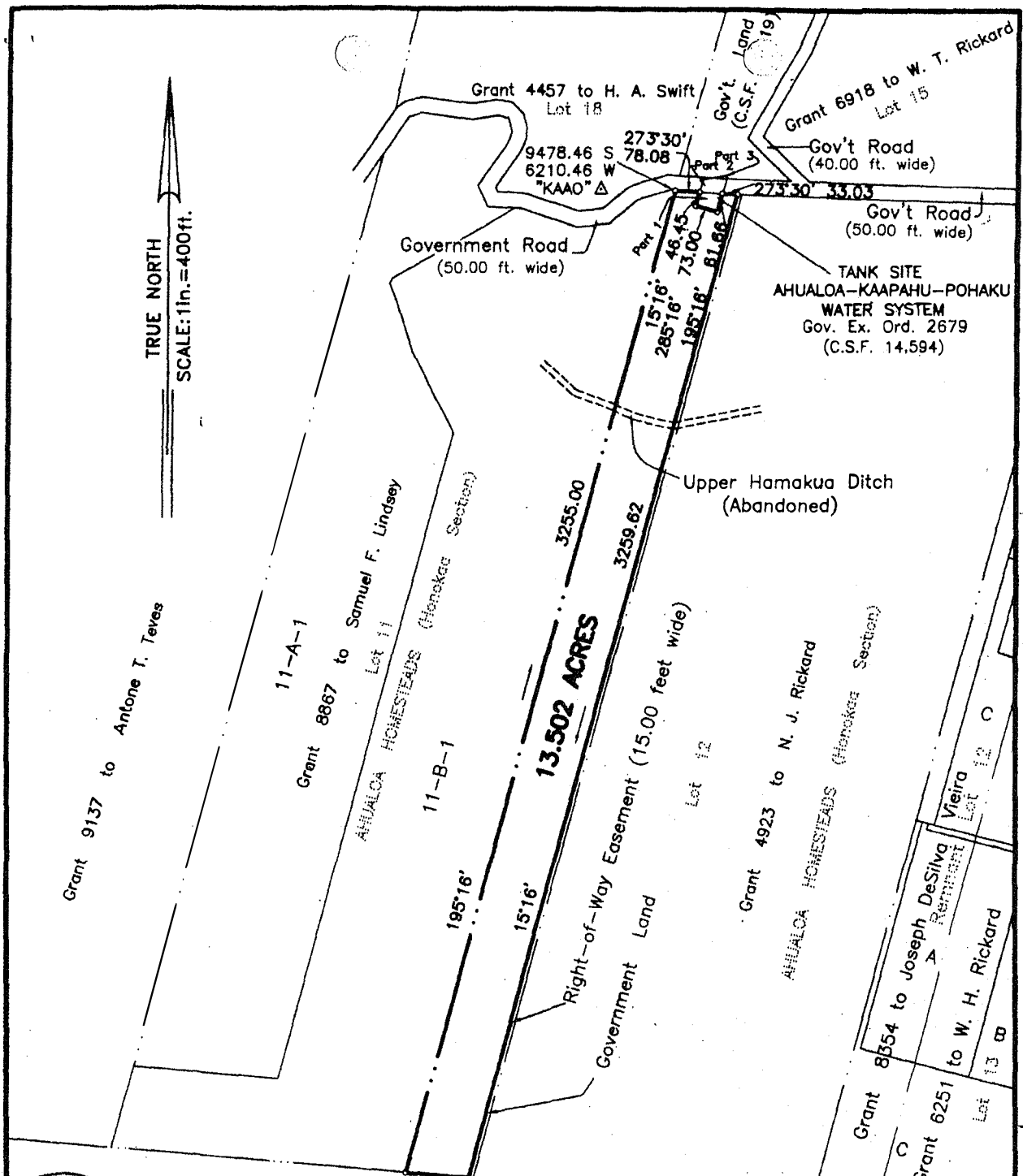
C. BK.

TAX MAP 1-8-10 : 38, 43, 44 & 46
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII
EXHIBIT "B"
ESH, Inc. Dec 18, 1992

C.S.F. NO. 21,833

GLS-5542

EXHIBIT A



TRUE NORTH
SCALE: 1in. = 400ft.

PRELIM. APPR'D.
Department of the
Attorney General

HAMAKUA FOREST RESERVE
Nienie Section
Governor's Proclamation dated Dec. 22, 1928
(C.S.F. 4895)

AHUALOA RESERVE REMNANTS
(HONOKAA SECTION)
LOT 11

Ahualoa, Hamakua, Island of Hawaii, Hawaii

JOB H-153(97)
C. BK.

Scale: 1 inch = 400 feet **REDUCED NOT TO SCALE**

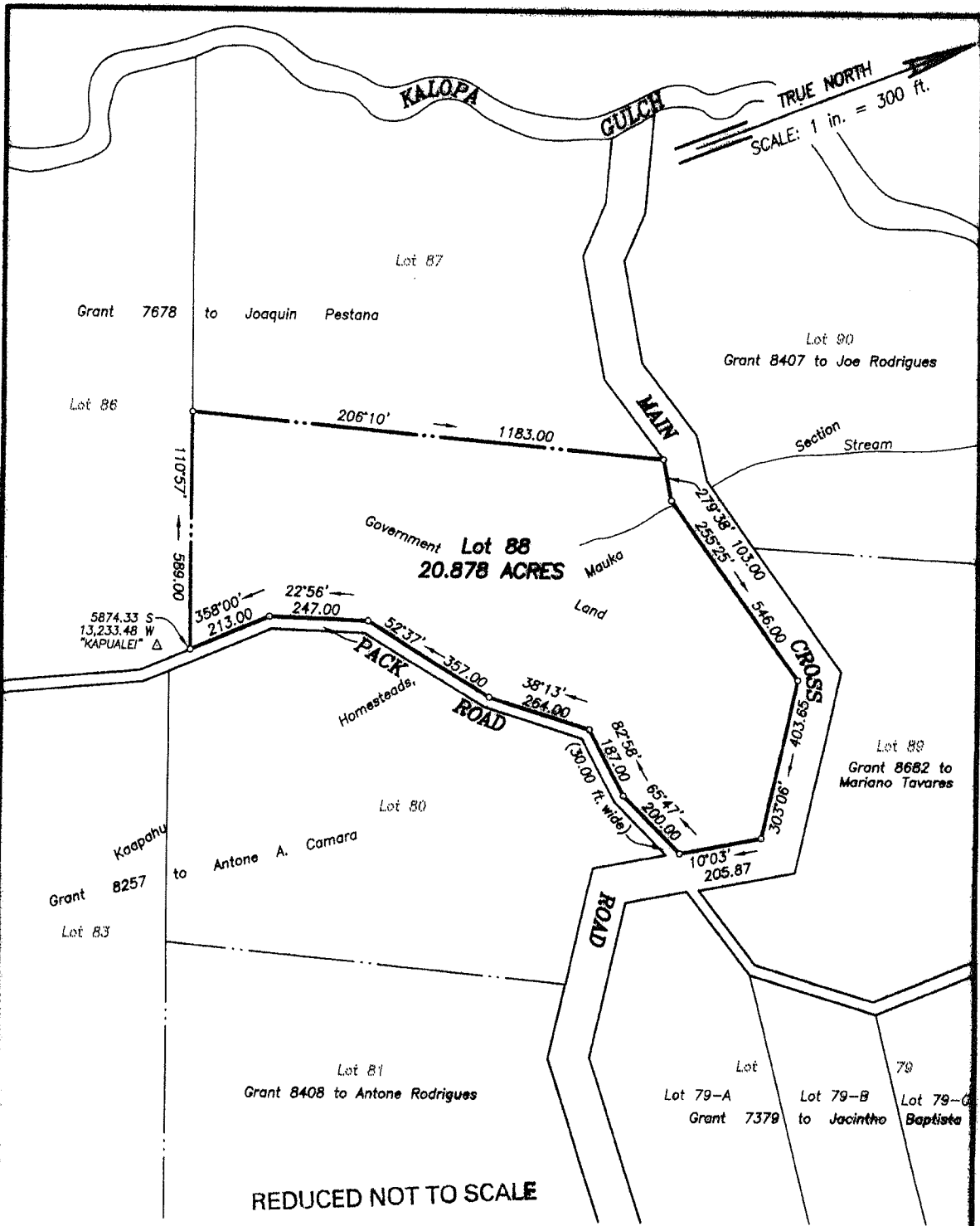
TAX MAP 4-5-11:Por. 6
C.S.F. NO. 22,678

SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

A.T.N. June 8, 1998

GL S-5571

EXHIBIT A



(REVISED—AUGUST 2007)
KAAPAHU HOMESTEADS, MAUKA SECTION
LOT 88

Kaapahu, Hamakua, Island of Hawaii, Hawaii

Scale: 1 inch = 300 feet

EXHIBIT "B"

Job H-360(07)
 C. BK.

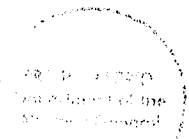
TMK: 4-4-13: 11

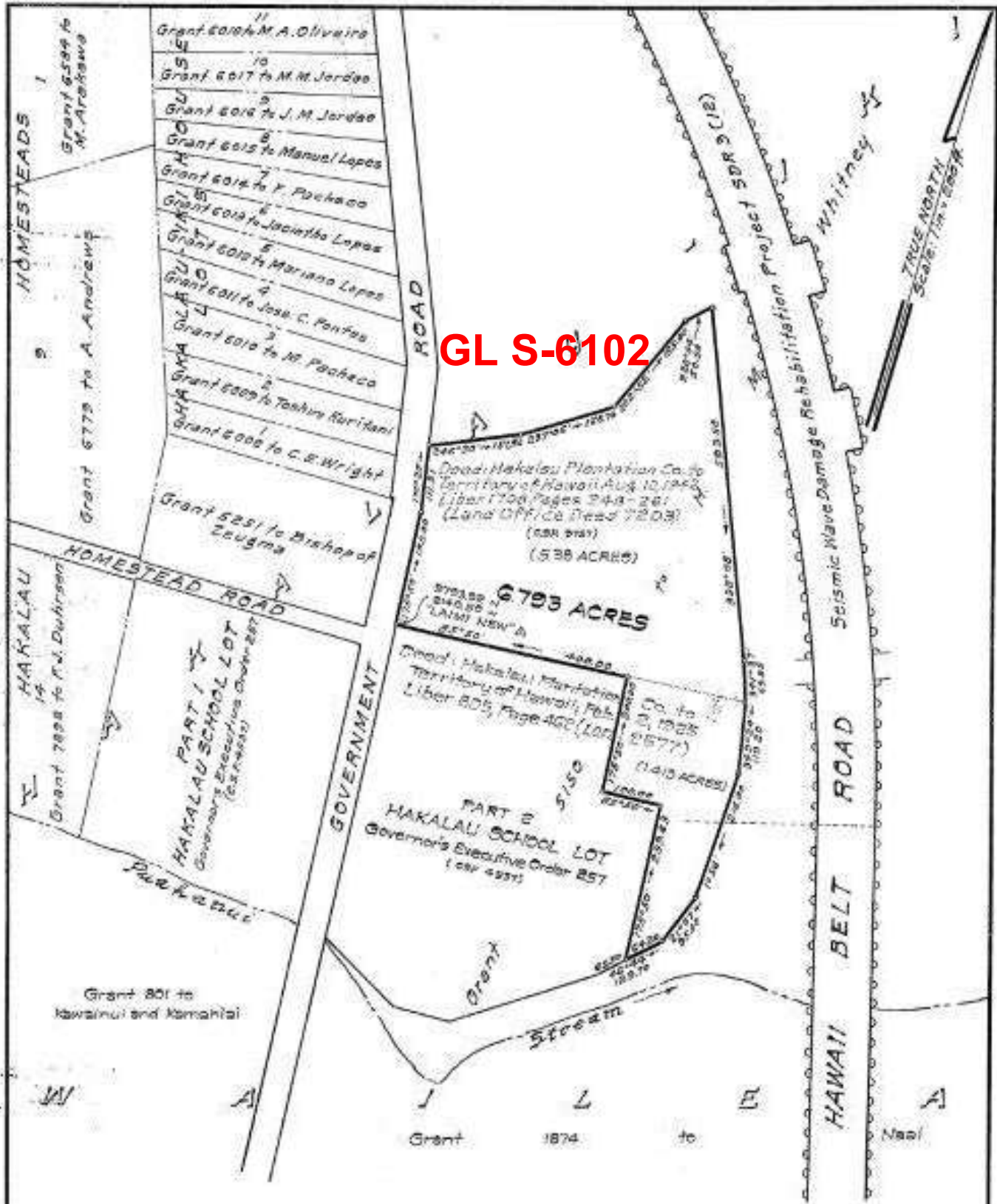
SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES

Hawaii File Carton 78

STATE OF HAWAII

August 3, 2007





GL S-6102

HAKALAU-IKI GOVERNMENT LOT
 Adjacent to the Hakalau School Lot
 Hakalau-iki, South Hills, Island of Hawaii, Hawaii
 Scale: 1 inch = 200 feet

EXHIBIT A

JOB H-4518
 C. BK. 10 (Type)

TAX MAP 2-9-02

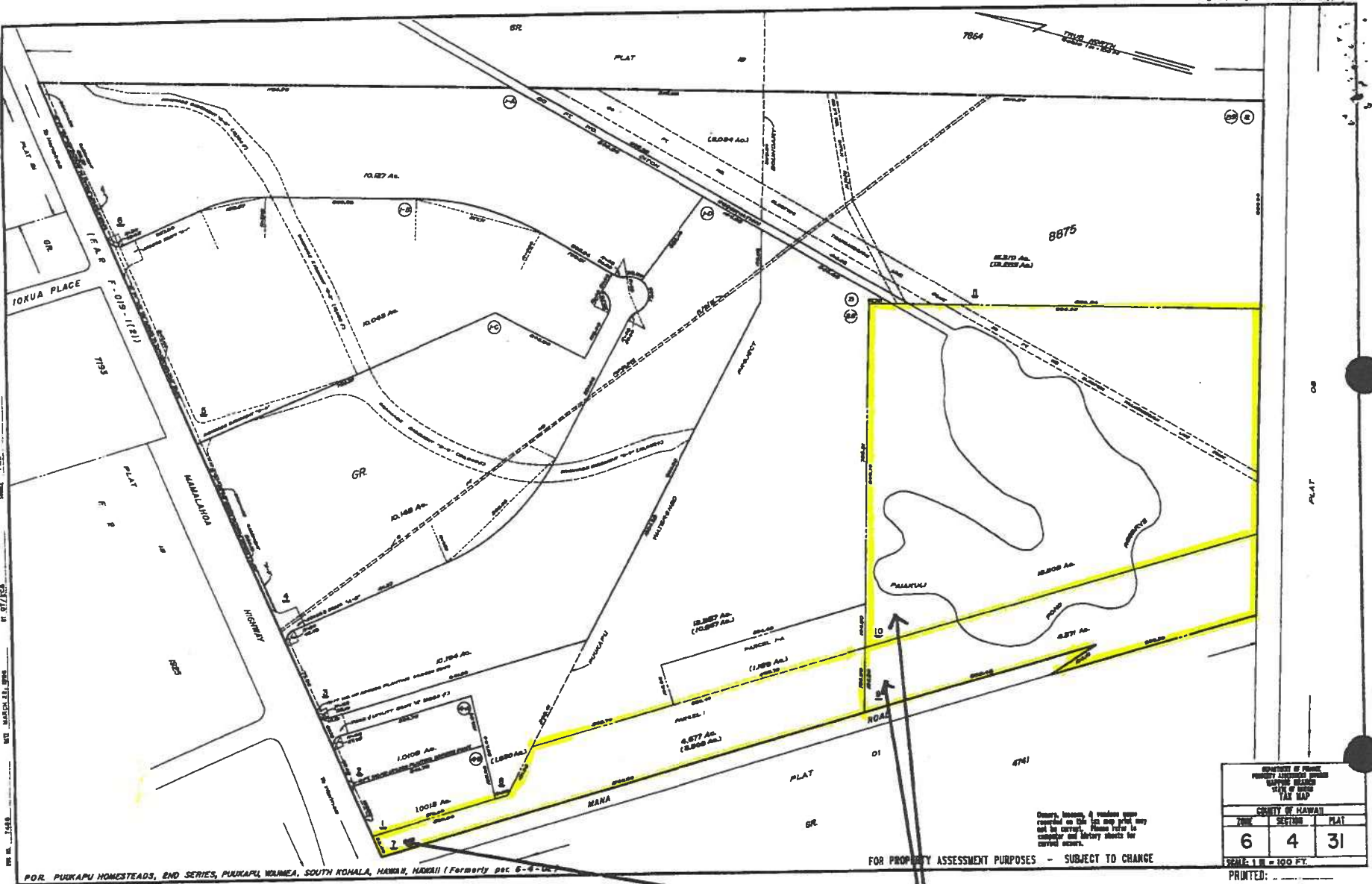
SURVEY DIVISION
 DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
 STATE OF HAWAII

C. S. F. No. 16,043

A7, Feb. 24, 1970

REDUCED/NOT TO
SCALE

EXHIBIT A



P.O.R. PUKAPU HOMESTEADS, END SERIES, PUKAPU, WAIMEA, SOUTH KOHALA, HAWAII, KAUAI (Formerly pgs 6-8-10)

FOR PROPERTY ASSESSMENT PURPOSES - SUBJECT TO CHANGE

County, Section & number were recorded on 12/12/1991 and 1/11/1992, may not be correct. Please refer to computer and library sheets for correct values.

DEPARTMENT OF PUBLIC PROPERTY ASSESSMENT DIVISION STATE OF HAWAII TAX MAP		
CITY OF HAWAII		
TRIM	SECTION	PLAT
6	4	31
SCALE: 1" = 100 FT.		
PRINTED: _____		

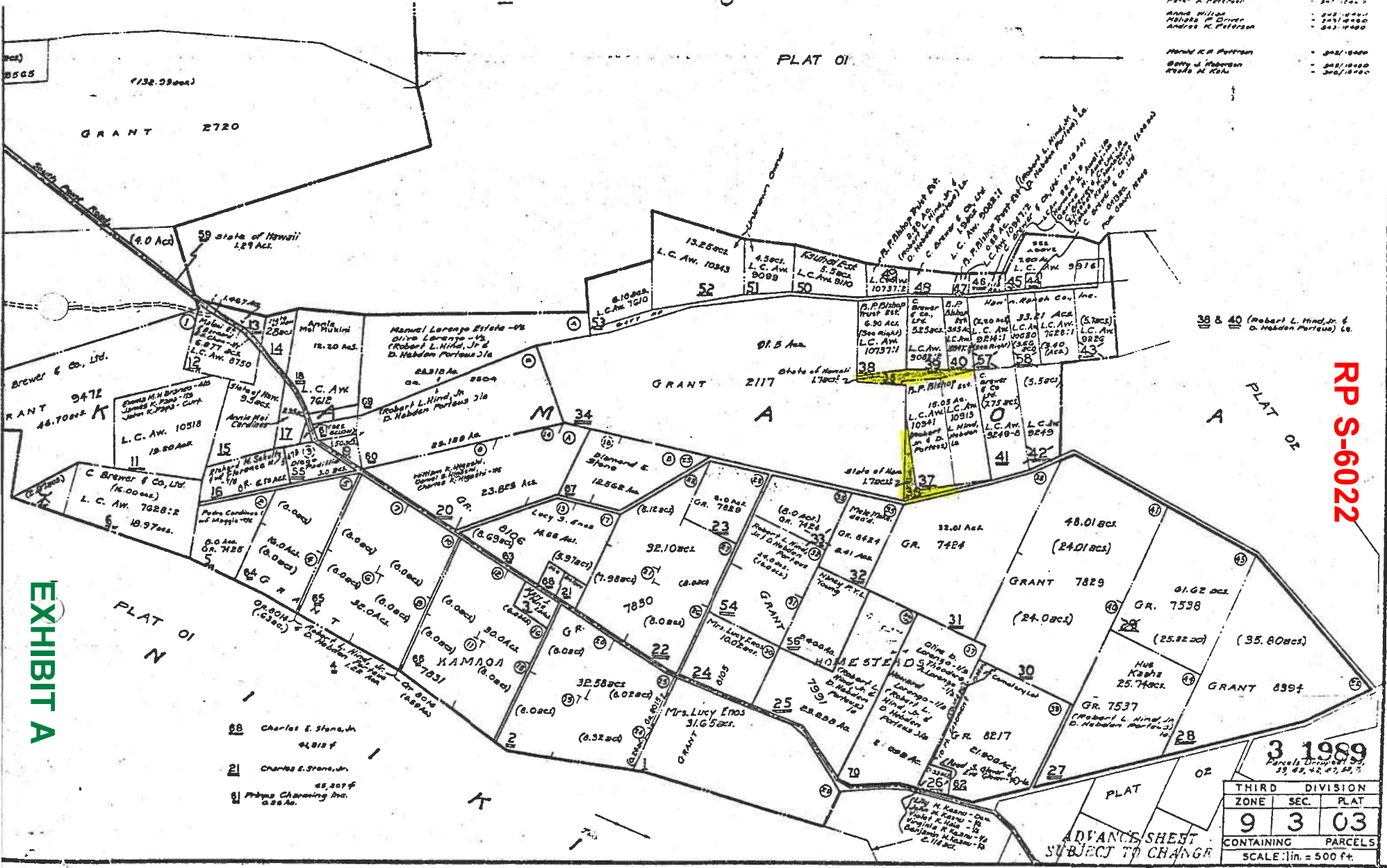
SUBJECT
PROPERTY

MAILU, APPELLO,
Department of the
Attorney General

RP S-7446

Peter A. Peterson - 341 1500
 Anne Miller - 341 1500
 Helene M. Driver - 341 1500
 Andrea K. Peterson - 341 1500
 Harold K. Peterson - 341 1500
 Betty J. Peterson - 341 1500
 Peter H. Kohn - 341 1500

PLAT OI



RP S-6022

EXHIBIT A

3 1989

Parcels Drawn 30, 31, 32, 40, 41, 42, 43

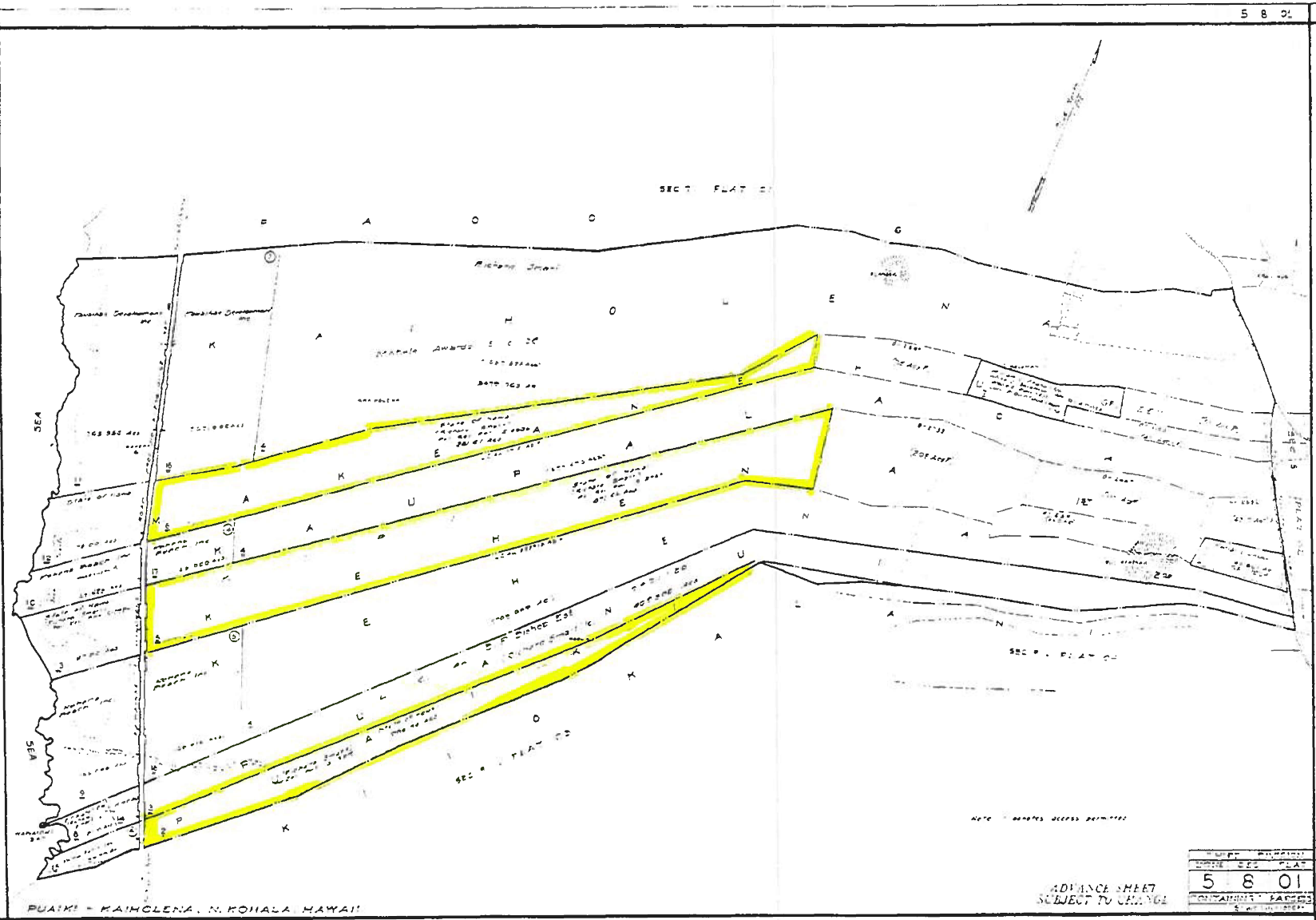
THIRD DIVISION		
ZONE	SEC.	PLAT
9	3	03
CONTAINING PARCELS		
SCALE: 1 in. = 500 ft.		

PRINTED

ADVANCE SHEET
SUBJECT TO CHANGE

REDUCED/NOT TO SCALE

EXHIBIT A



Note: All
 Existing and
 Proposed
 Boundaries
 Apply

NOTE: BOUNDARIES ACCORD TO SURVEY

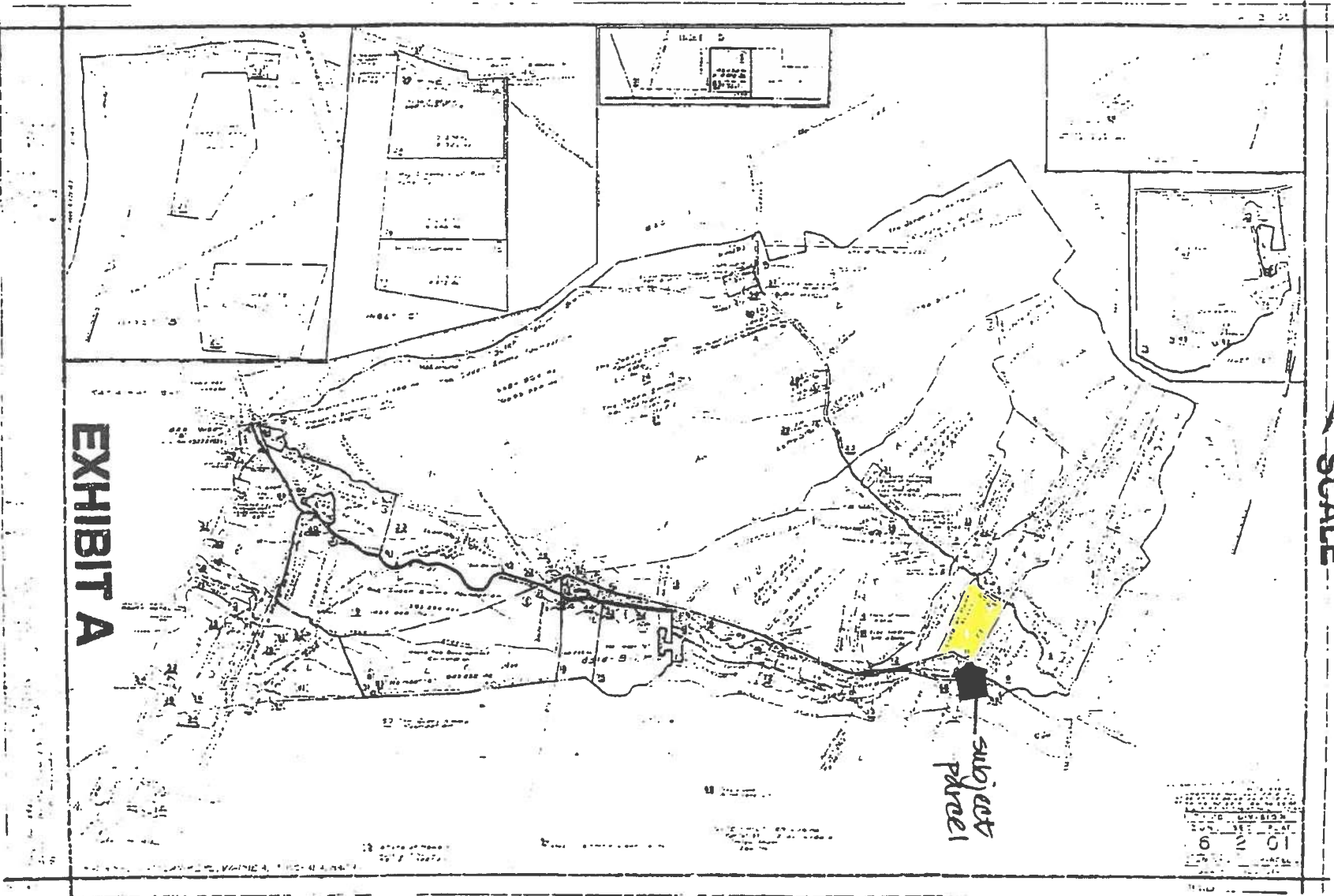
ADVANCE SHEET
SUBJECT TO CHANGE

Sheet	5	8	01
Section			
Class			
Printed			

RP S-7153

RP S-7643

REDUCED/NOT TO
SCALE



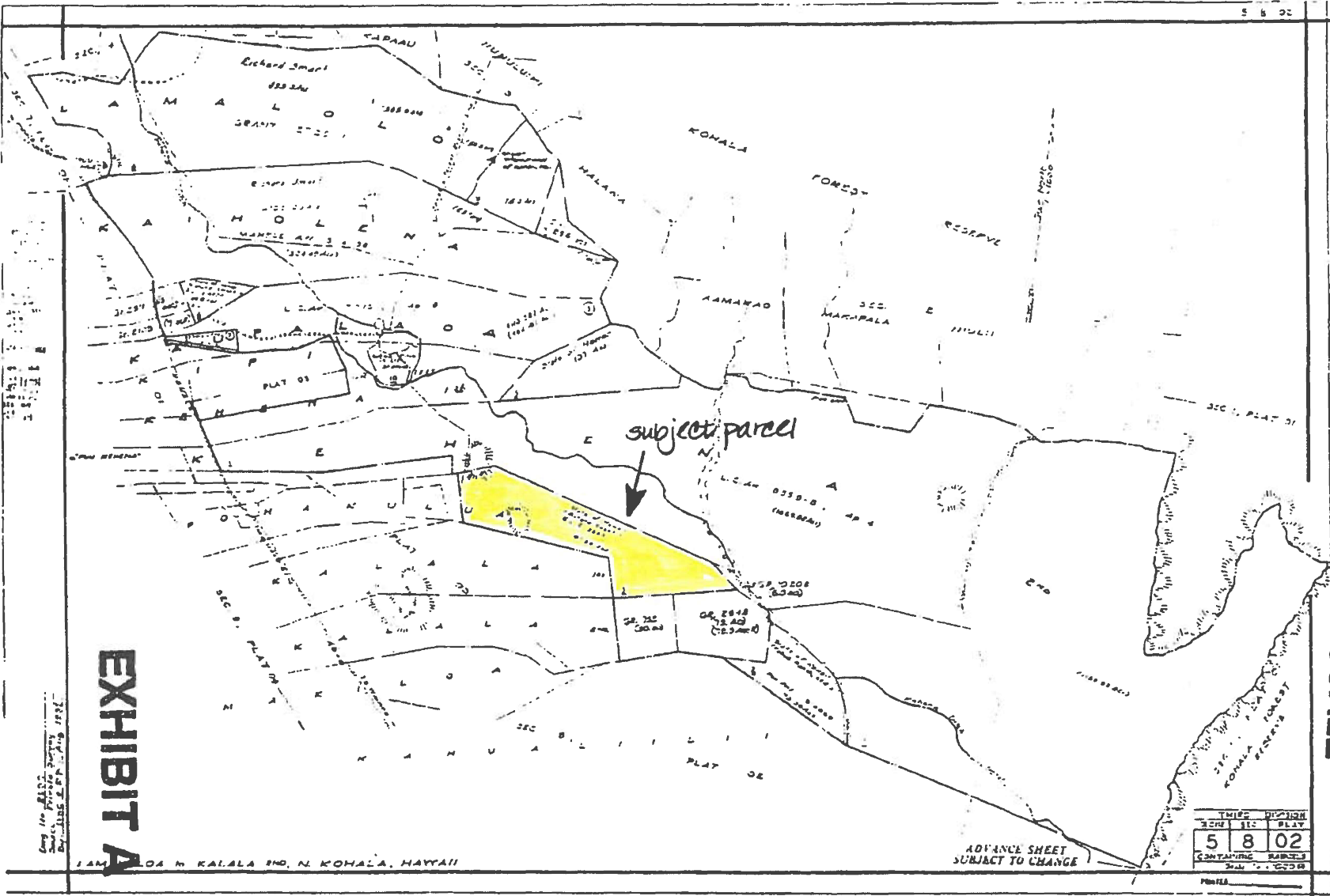


EXHIBIT A

REDUCED/NOT TO SCALE

TIME		DISION	
MIN	SEC	PLAT	
5	8	02	
CONTAINING PARCELS			
Shaded			

ADVANCE SHEET
SUBJECT TO CHANGE

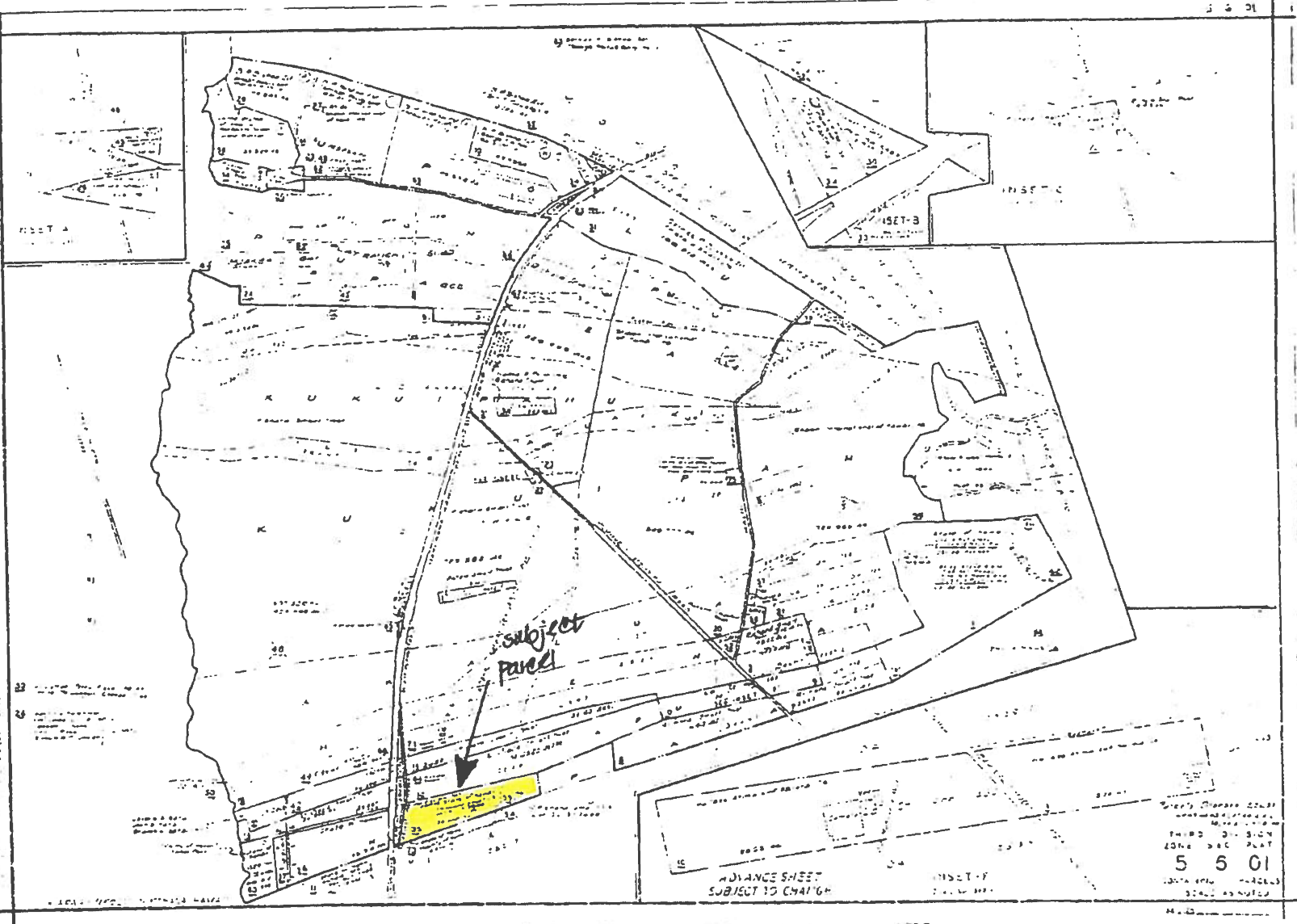
1 AM 04 N KALALA END, N. KOHALA, HAYATI

RP S-7649

PEARL APP'D
Department of the
Attorney General

RP S-7658

REDUCED/N T TO
SCALE



5 5 01
SCALE AS NOTED

ADVANCE SHEET
SUBJECT TO CHANGE

EXHIBIT A



REDUCED/NOT TO SCALE

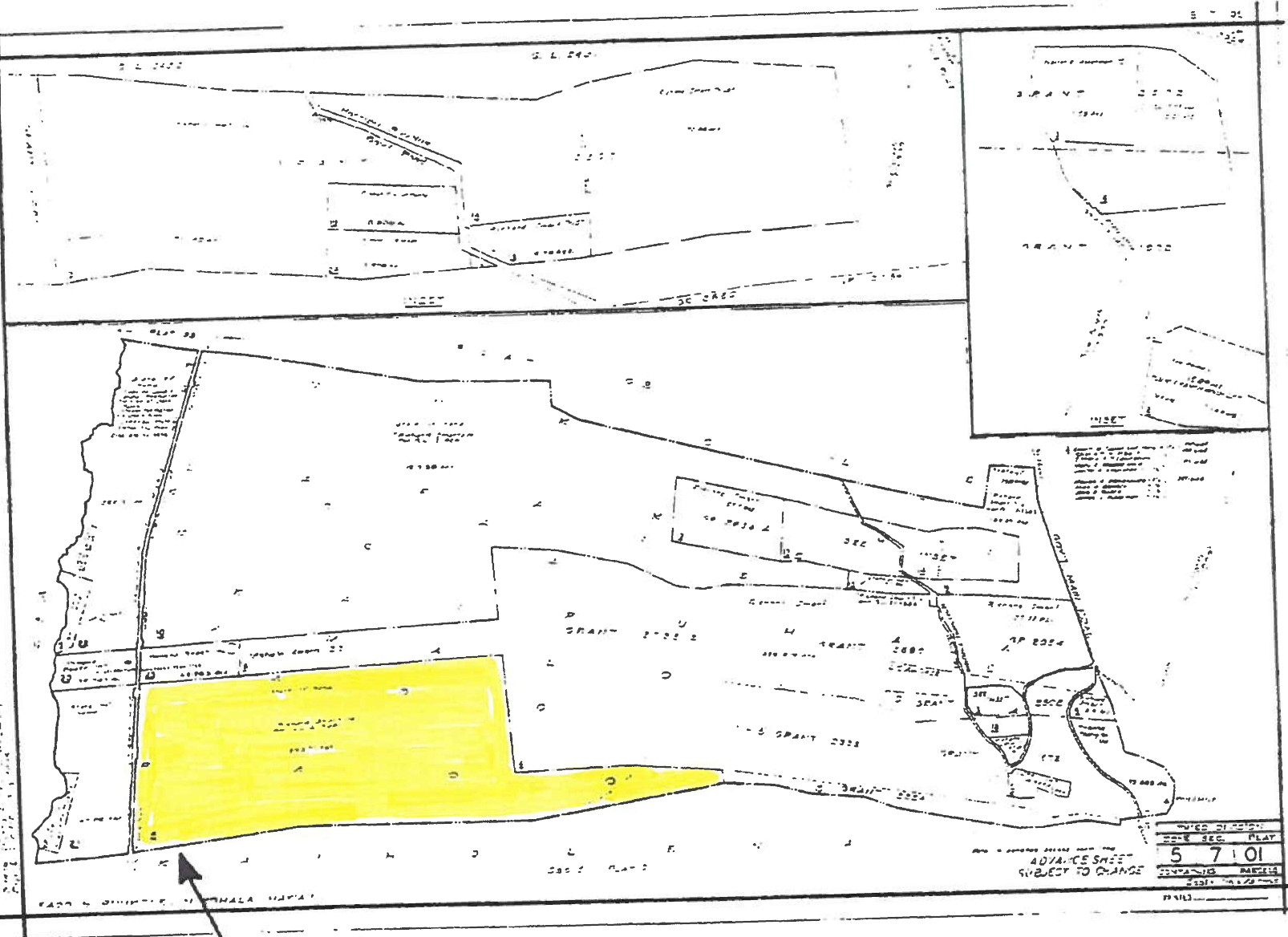
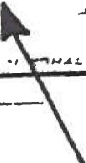


EXHIBIT A



 subject parcels

PROBLEM APPROVED
 Department of the
 Attorney General

REDUCED/NOT TO SCALE

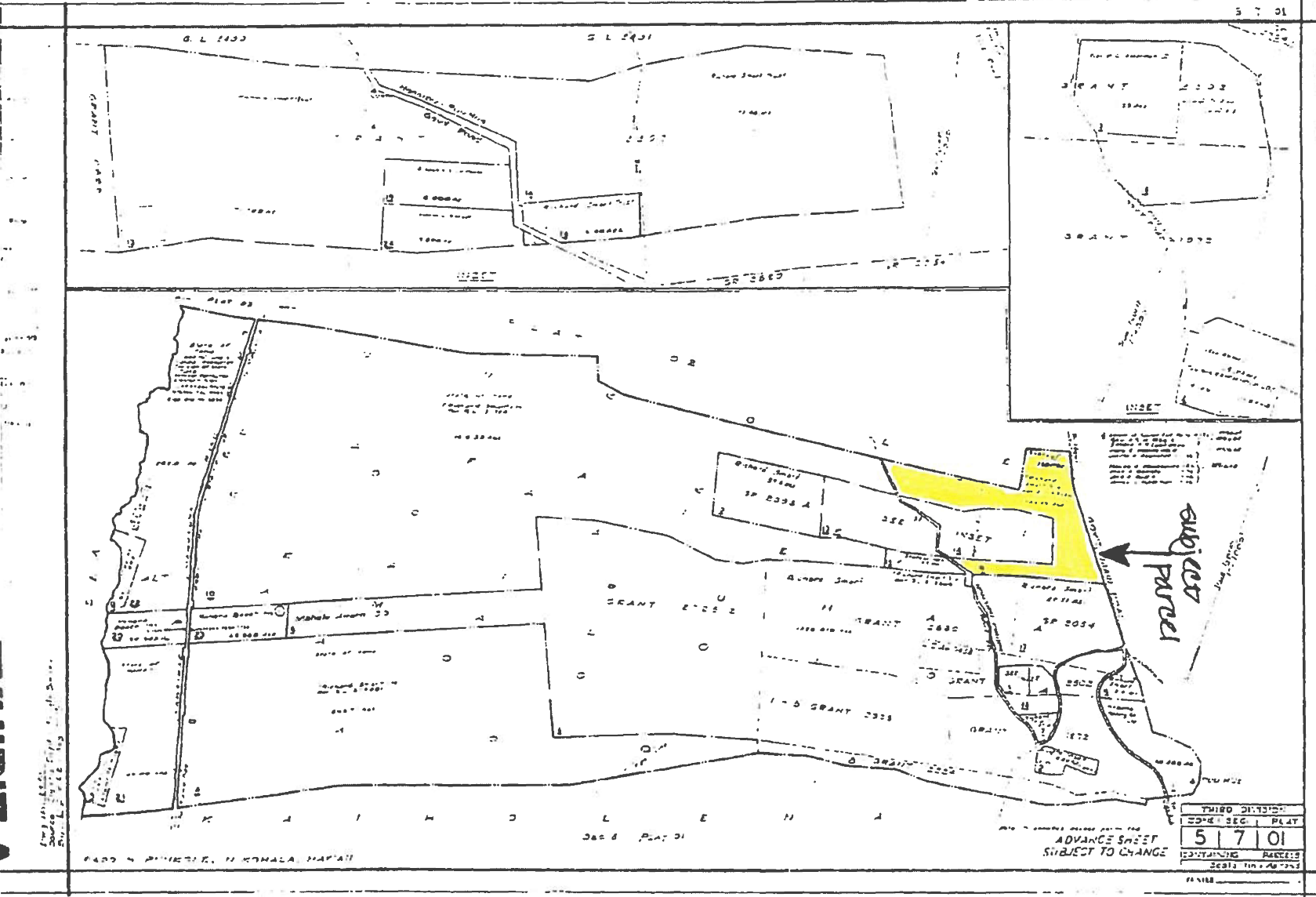
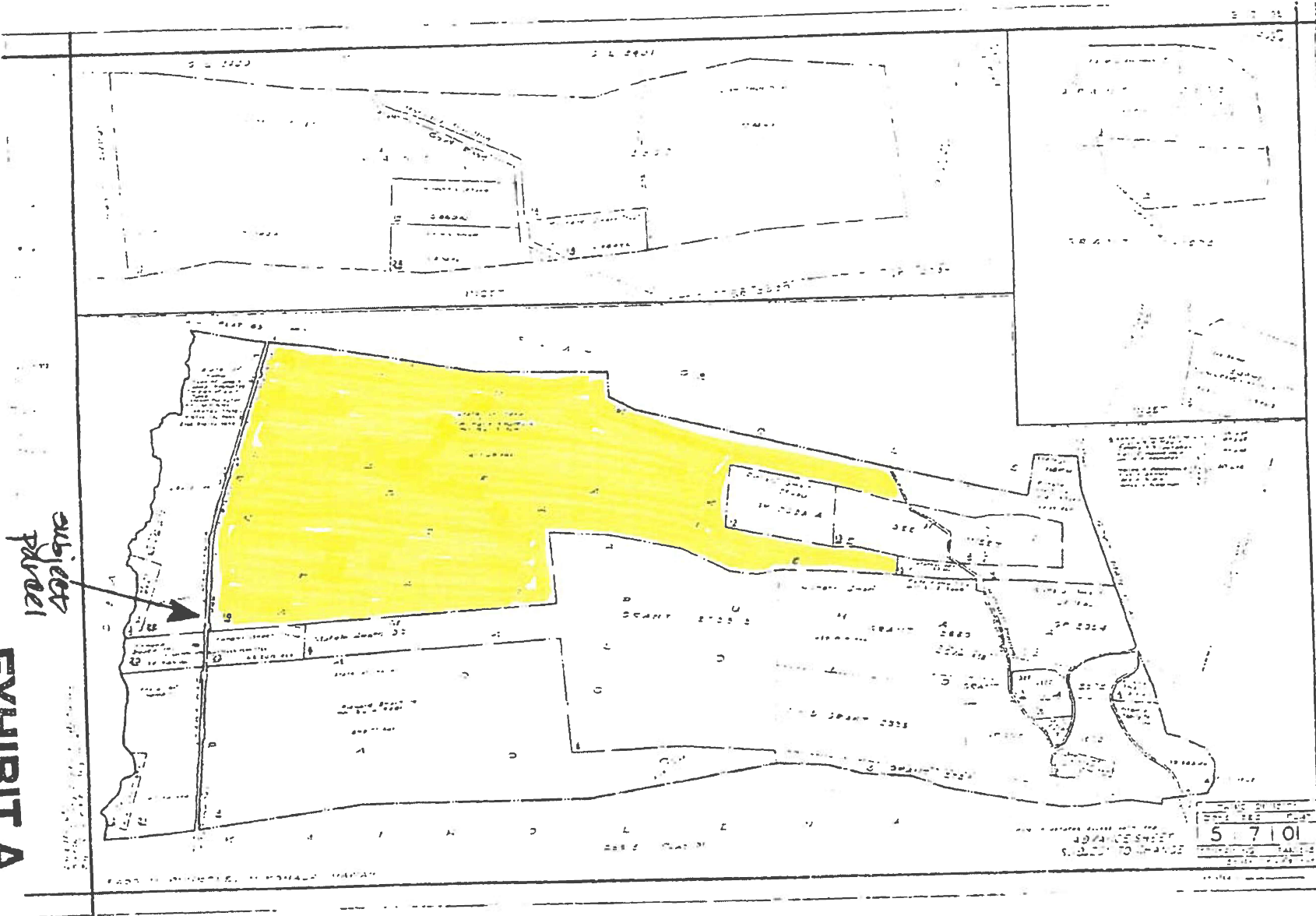


EXHIBIT A



REDUCED/NOT TO SCALE

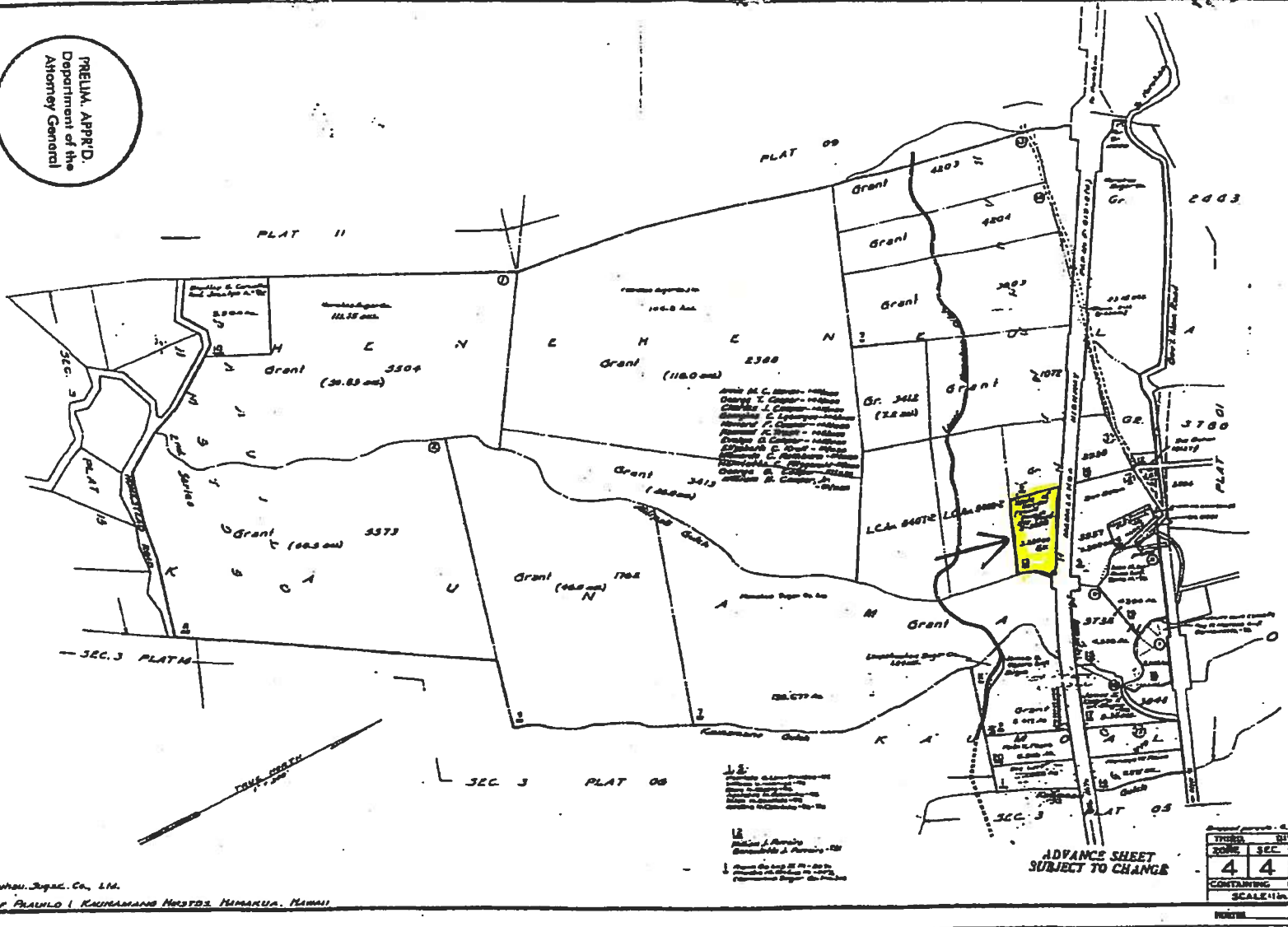


subject parcel

EXHIBIT A



PRELIM. APPR'D.
Department of the
Attorney General



Ranohou, Supac, Co., Ltd.
P.O. OF PEARL & KAUNAMANA HEIGHTS, HONOLULU, HAWAII

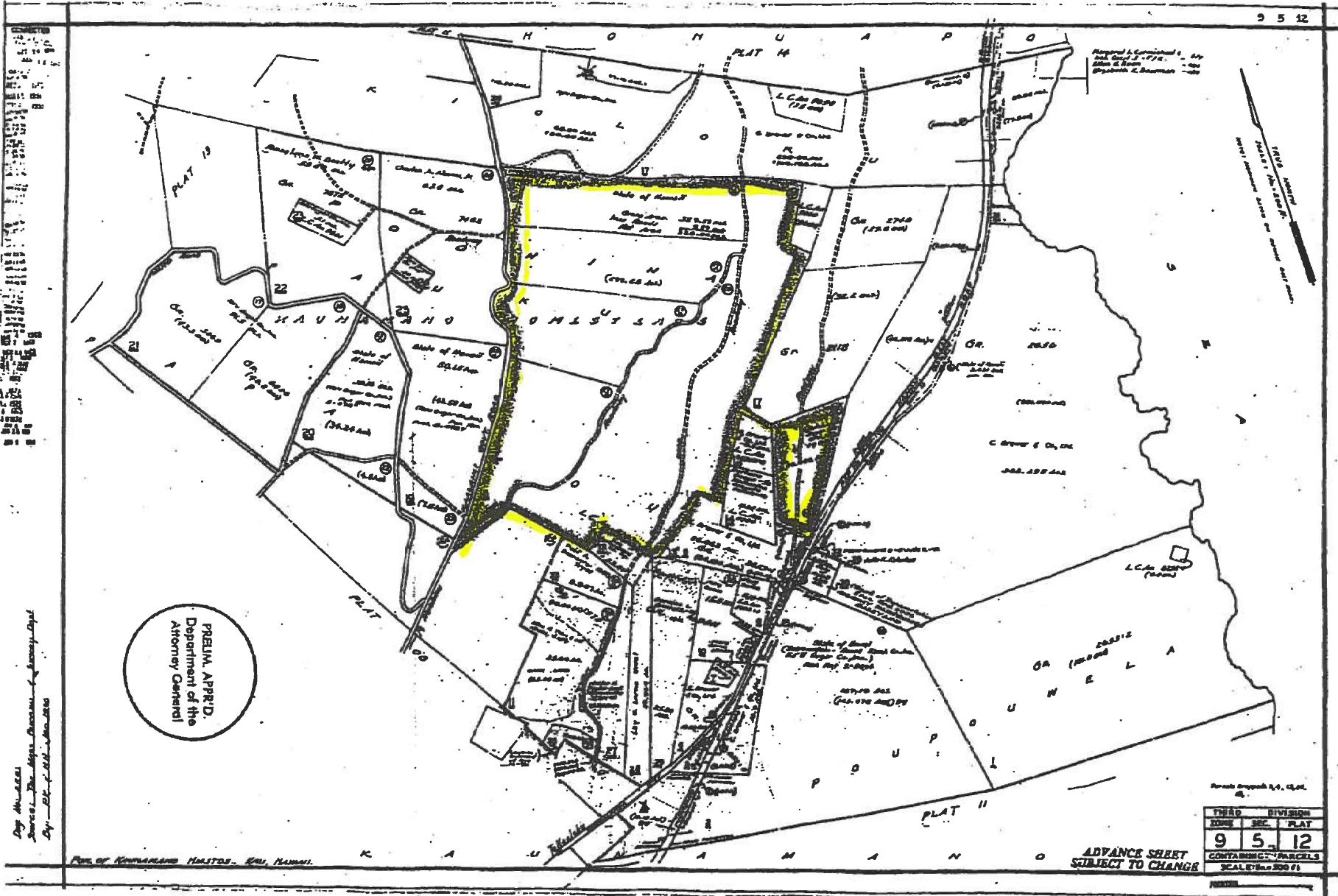
1197

**REDUCED/NOT TO
SCALE**

PRELIM. APPR'D.
Department of the
Attorney General

RP S-7705

EXHIBIT A



PUBLIC APPR'D.
Department of the
Attorney General

TRAD	DIVISION
DATE	DEC. PLAT
9	5 12
CONTAINING PARCELS	
SCALE 1/4\"/>	

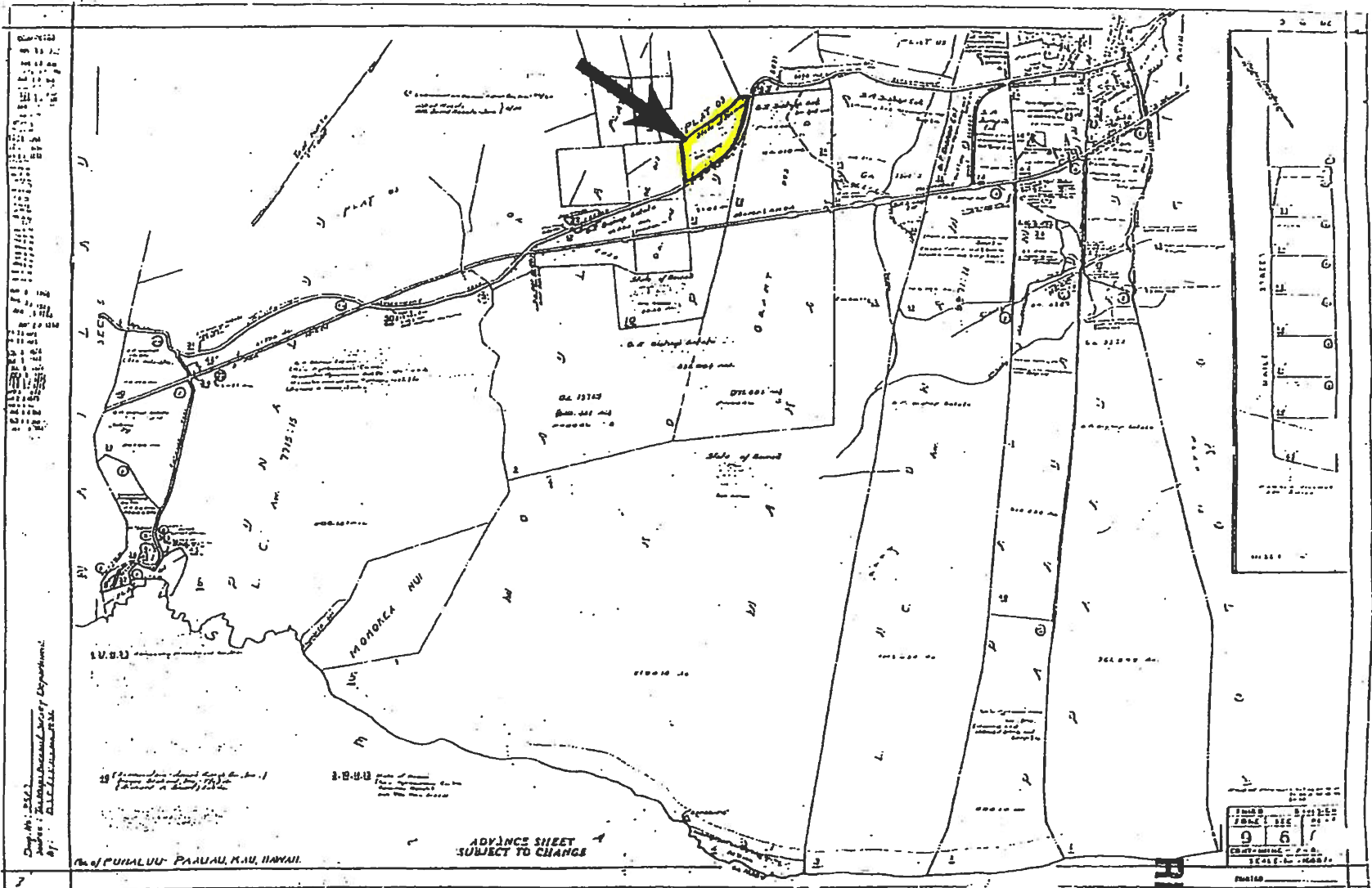
ADVANCE SHEET
SUBJECT TO CHANGE

EXHIBIT A

PUBLIC APPR'D.
Department of the
Attorney General

RP S-7709

RP S-7761



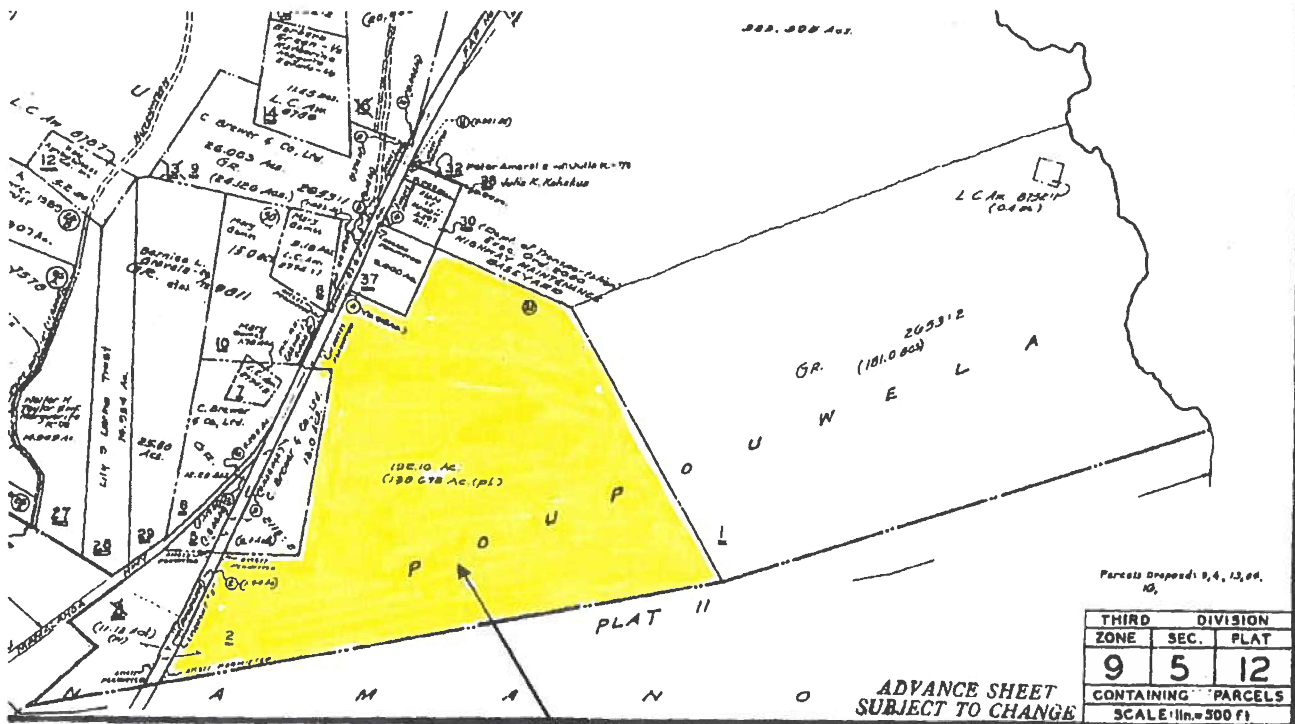
REDUCED/NOT TO
SCALE

PRELIM. APP'D.
Department of the
Attorney General

EXHIBIT A

EXHIBIT A

TMK: 3RD/9-5-12:02



SUBJECT PROPERTY

PRELIM. APPR'D.
Department of the
Attorney General

PRELIM. APPR'D.
Department of the
Attorney General

PRELIM APPR'D
 Department of the
 Attorney General

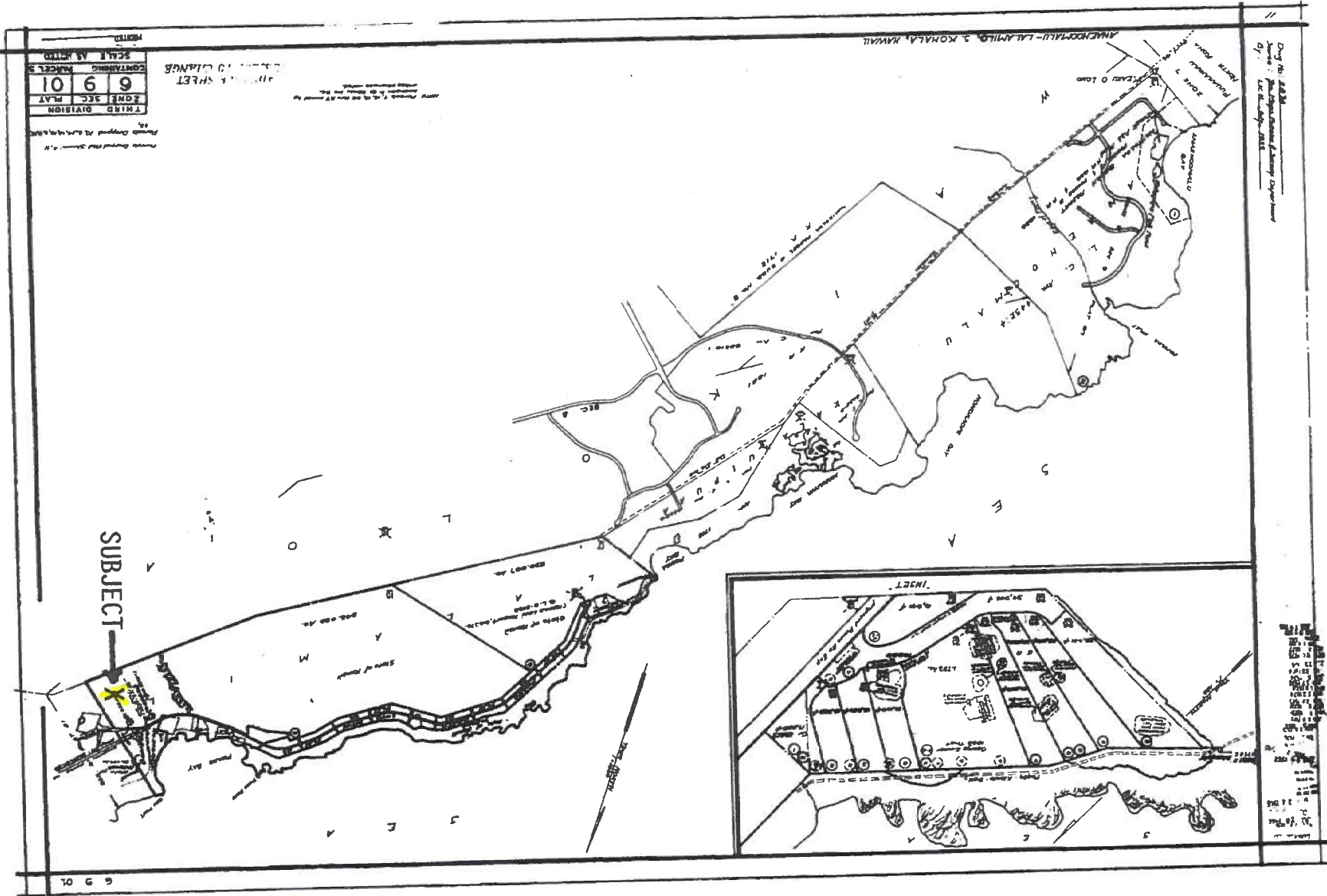
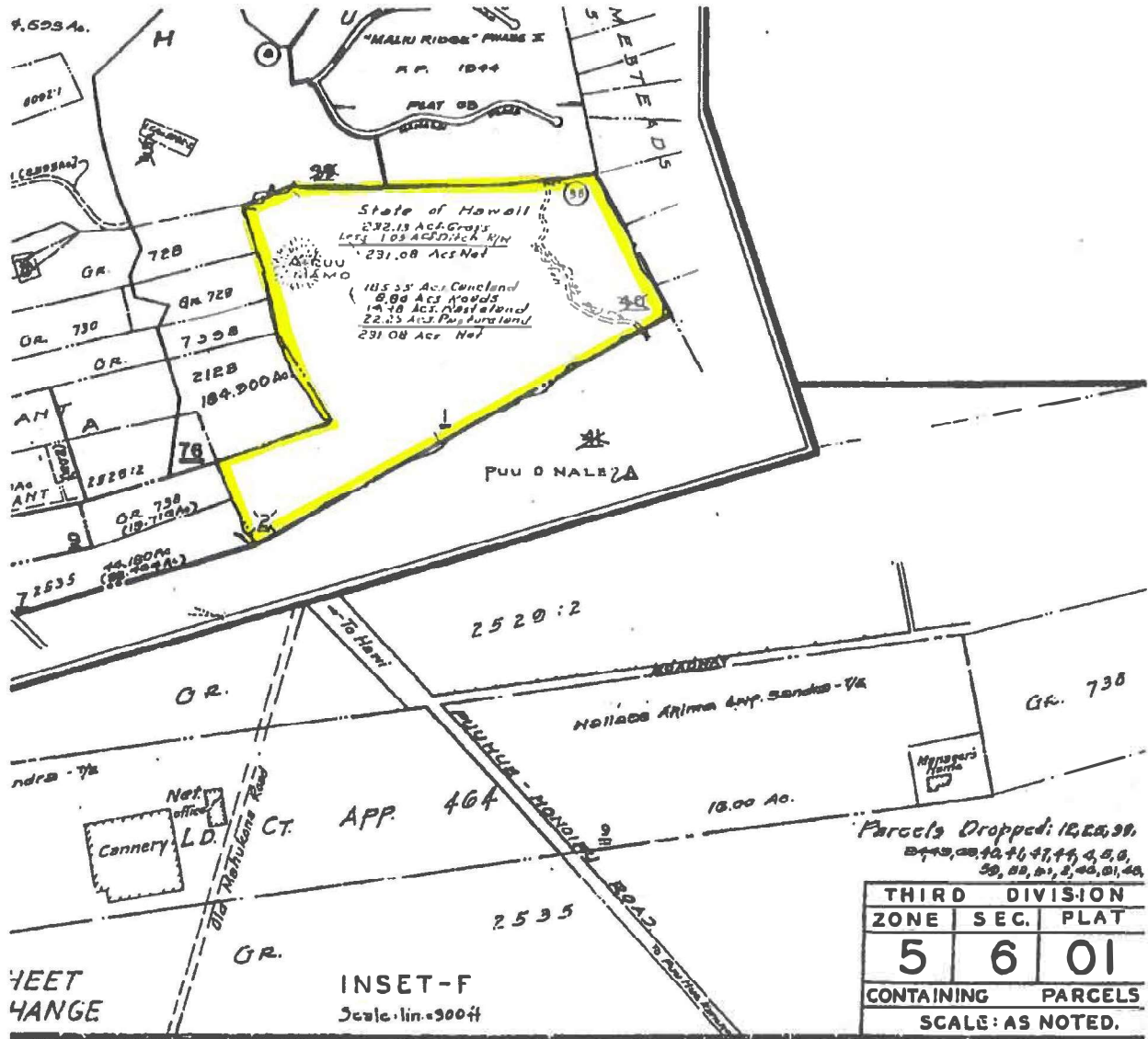


EXHIBIT A

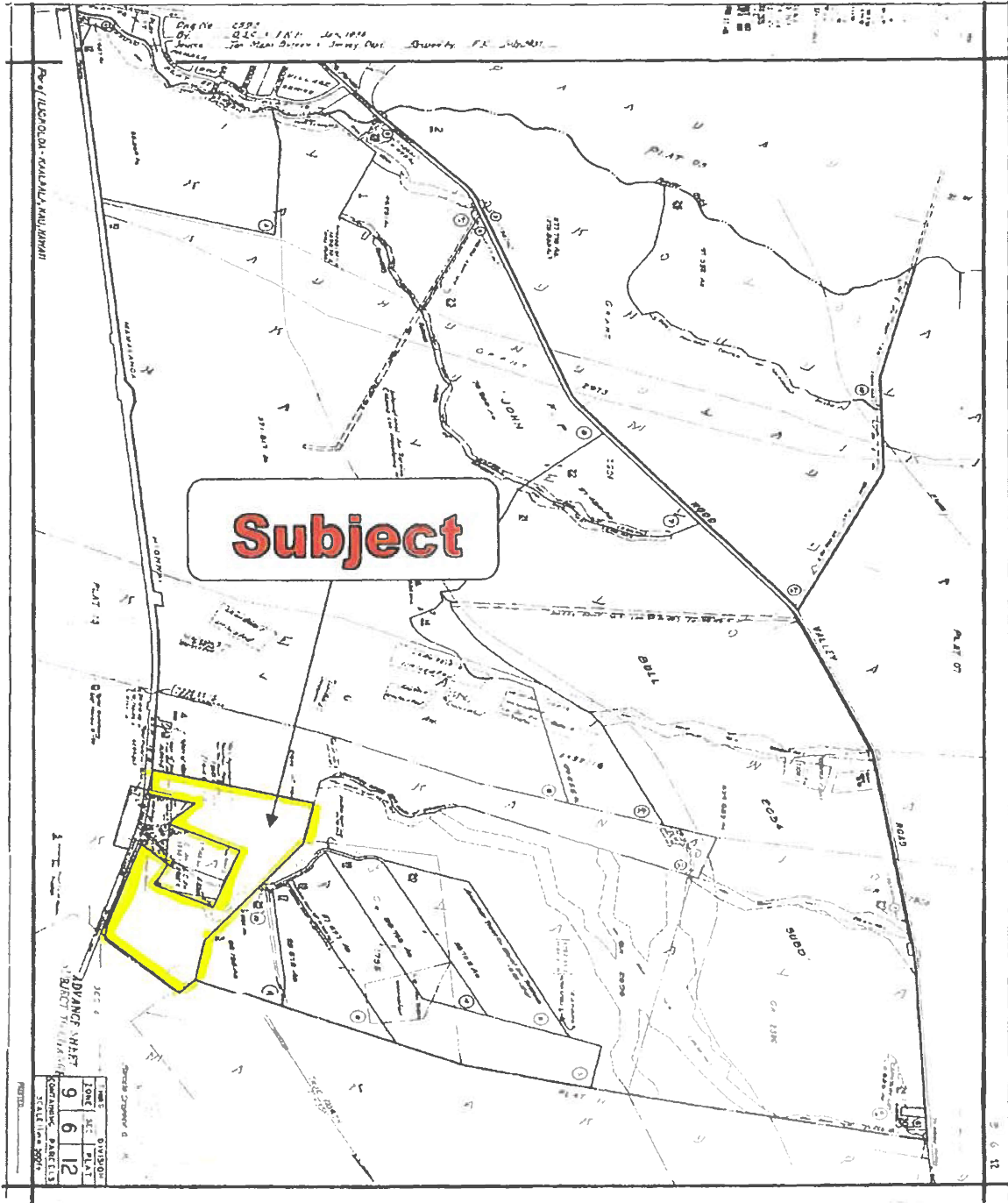
RP S-7820

TMK: 3rd/5-6-01:01



PRELIM. APPRD.
Department of the
Attorney General

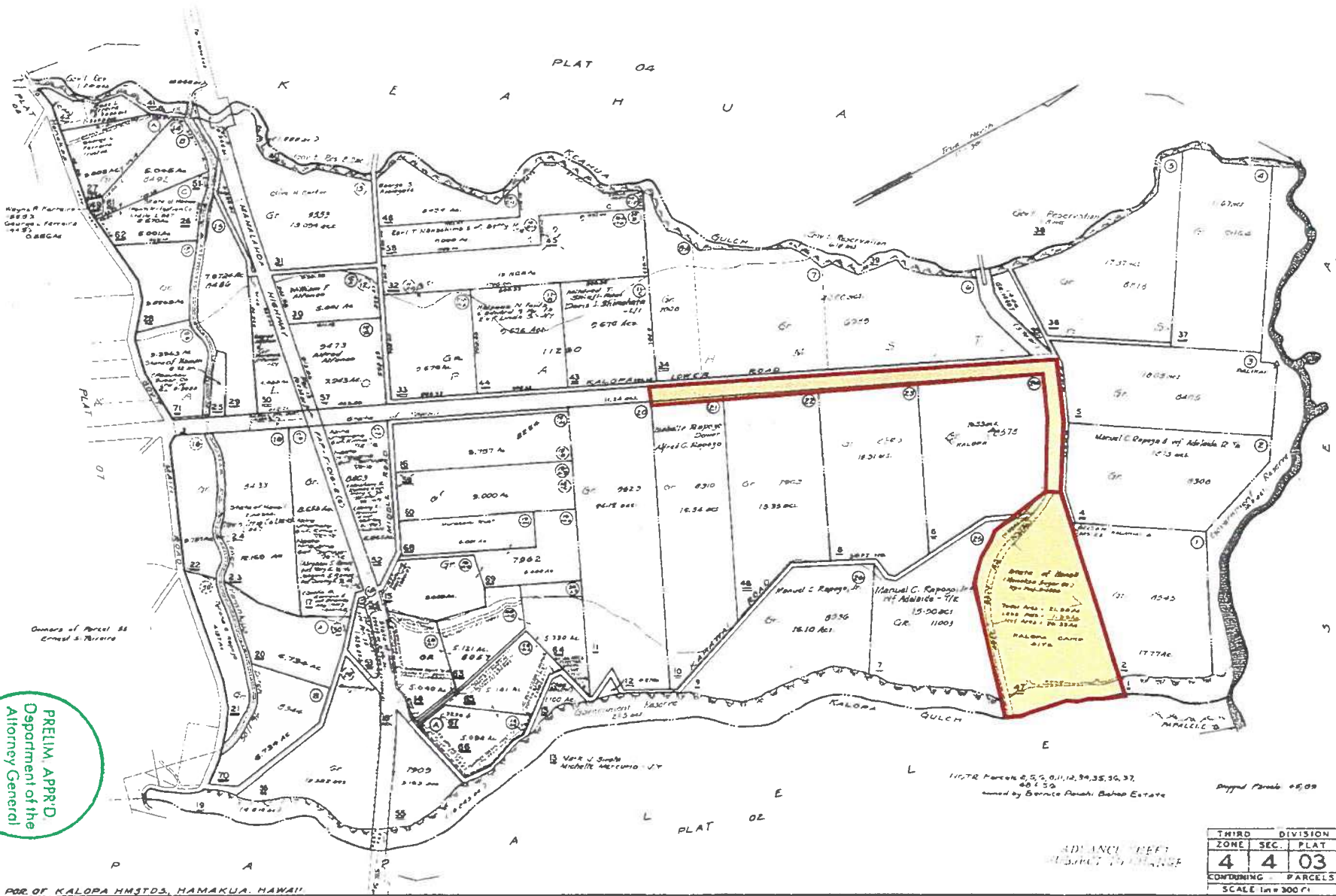
RP S-7838



RP S-7838

EXHIBIT A

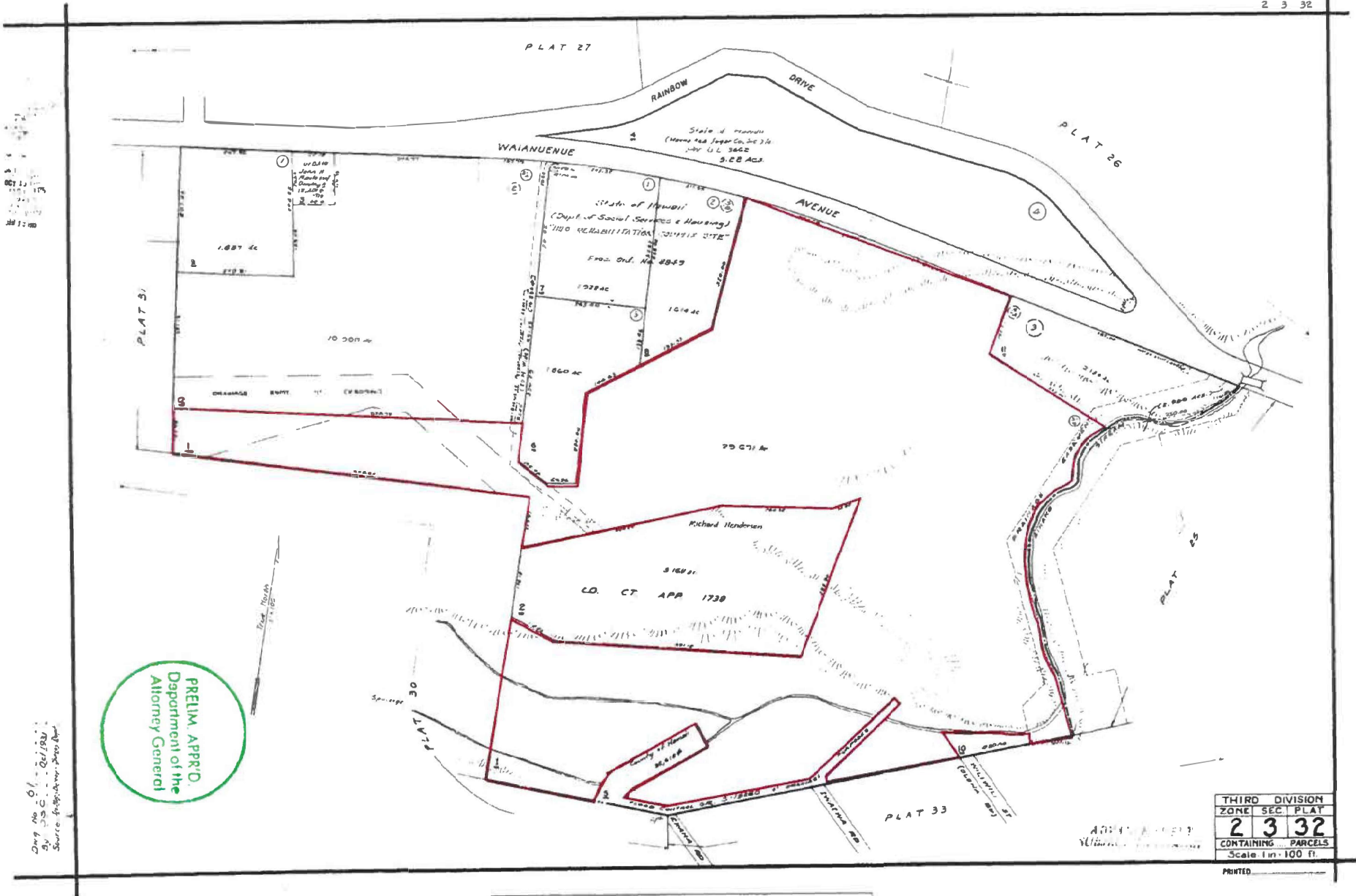
PRELIM. APPR'D.
Department of the
Attorney General



FOR OF KALOPA HM3TD3, HAMAKUA, HAWAII

RP S-7959

2 3 32

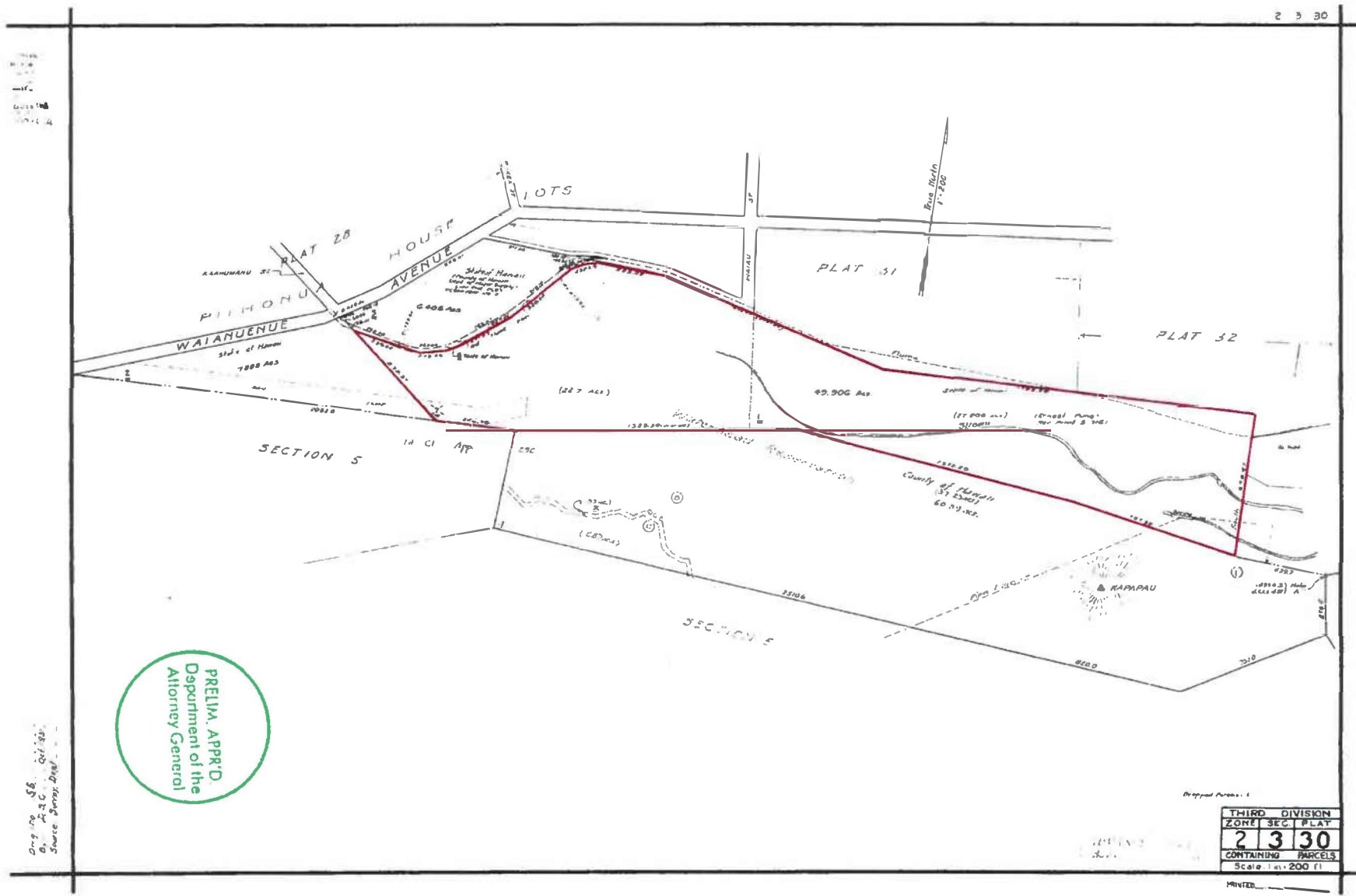


Dwg No 01
By J.S.C.
Source: Survey

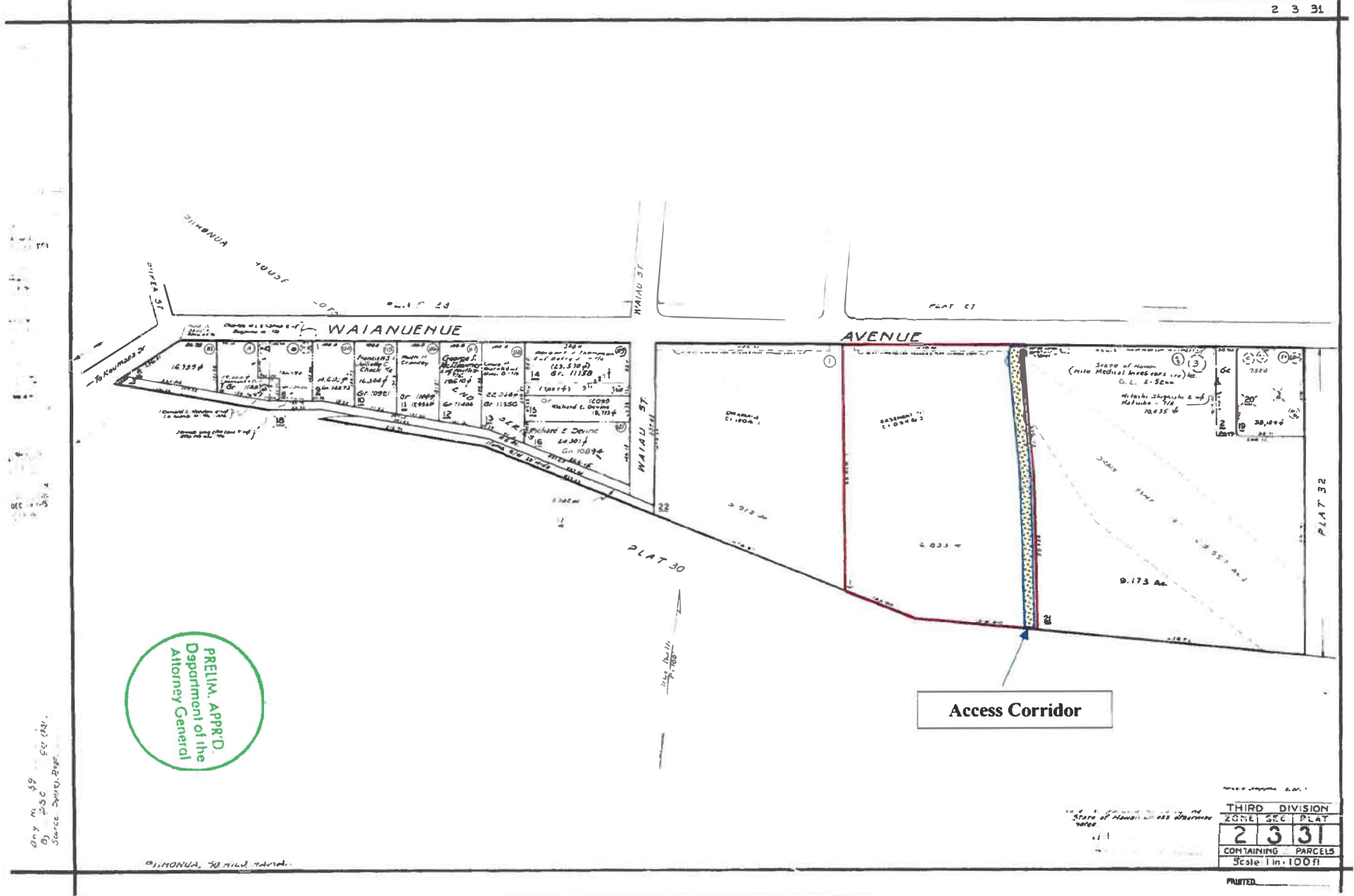
PRELIM. APPRD.
Department of the
Attorney General

THIRD DIVISION
ZONE 2 SEC 3 PLAT 32
CONTAINING PARCELS
Scale 1 in = 100 ft.

TMK: (3)2-3-032:001



TMK: (3)2-3-030:001



TMK: (3)2-3-031:001

EXHIBIT B

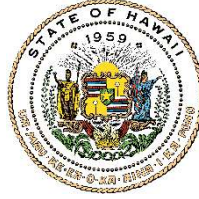
Doc. No.	Lessee	Tax Map Key (TMK)	Character of Use	Zoning State/ County	Leased Area (Acreage)
RP7670	Edward A.K. & Lucia Lee	(3) 1-2-008:001	Pasture	Agriculture A-20a	100
GL5542	Kelonukai Ranch, LLC	(3) 1-8-010:038, 043, 044 and 046	Pasture	Agriculture A-5a	227.74 C.S.F. 21,833
RP7959	Spencer Nagata	(3) 2-3-030:001; 2-3-032:001	Pasture	Conservation open	89.08
GL5324	Russell J. Chin	(3) 2-4-004:012, 013, 021, 022	Pasture	Agriculture A-3a	119.694 C.S.F. 21,874
GL6102	Yun Yan Huang	(3) 2-9-002:047	Intensive Ag.	Agriculture RS-7.5	6.793 C.S.F. 16,043
RP7696	Peter H. Jose	(3) 4-1-004:031	Pasture	Agriculture A-40a	65.572
RP7942	Peter & Lisa Abarcar	(3) 4-4-003:003 and 047	Pasture	Agriculture A-5a	27.32
RP7705	Anthony & Edna Gomes	(3) 4-4-010:013	Pasture	Agriculture A-40a	3.554
GL5966	Walter Dudley Child III	(3) 4-4-013:011	Pasture	Agriculture A-5a	20.878 H.F.C. 78
GL5571	Dr. Frederick Holschuh	(3) 4-5-011:006	Pasture	Agriculture A-5a	13.502 C.S.F. 22,678
GL5330	Jeremy S. Lewis	(3) 5-5-003:013, 019	Pasture	Agriculture A-20a	157.32 C.S.F. 21,873
RP7827	Kukuipahu Ranch, LLC	(3) 5-6-001:001	Pasture	Agriculture A-20a	231.08
RP7658	Parker Ranch, Inc.	(3) 5-6-001:035	Pasture	Agriculture A-20a	53.553
RP7659	Parker Ranch, Inc.	(3) 5-7-001:004	Pasture	Agriculture A-20a	853.71
RP7660	Parker Ranch, Inc.	(3) 5-7-001:009	Pasture	Agriculture A-20a	152.29
RP7661	Parker Ranch, Inc.	(3) 5-7-001:010	Pasture	Agriculture A-20a	1610.58
RP7153	Parker Ranch, Inc.	(3) 5-8-001:002 005 and 006	Pasture	Agriculture A-20a	981.02
RP7649	Parker Ranch, Inc.	(3) 5-8-002:003	Pasture	Agriculture A-20a	191.35
RP7650	Parker Ranch, Inc.	(3) 5-8-002:005	Pasture	Agriculture A-20a	107
RP7651	Parker Ranch, Inc.	(3) 5-8-002:006	Pasture	Agriculture A-20a	23.8
GL5333	G&C Freitas Ranch, Inc.	(3) 5-8-003:007	Pasture	Agriculture A-20a	83.21 C.S.F. 21,731
RP7653	Parker Ranch, Inc.	(3) 6-2-001:011	Pasture	Agriculture A-40a	144
RP7446	Guy K. Schutte	(3) 6-4-031:007, 009, and 010	Pasture	Agriculture A-1a	23.756
GL4464	Parker Ranch, Inc.	(3) 6-5-001:006	Pasture	Agriculture A-40a	135 C.S.F. 17,344

EXHIBIT B

GL4465	Parker Ranch, Inc.	(3) 6-5-001:020	Pasture	Agriculture A-1a	420.17 C.S.F. 17,345
RP7820	Volcano Island Honey Co.	(3) 6-9-001:015	Apiary	Conservation A-5a	5
RP6022	Daleico Ranch	(3) 9-3- 003:035,036	Pasture	Agriculture A-20a	3.14
RP7852	Ermino Mazzarino	(3) 9-4-003:014	Intensive Ag.	Agriculture A-20a	2.439
RP7765	Richard & Donna Lee Souza	(3) 9-5-012:002	Pasture	Agriculture A-20a	152.16
RP7709	Walter D. Andrade	(3) 9-5-012:018	Pasture	Agriculture A-20a	320
RP7667	B.K. Livestock, Co. Inc.	(3) 9-5-019:001	Pasture	Agriculture A-20a	83.32
RP7694	B.K. Livestock, Co. Inc.	(3) 9-5-019:002, 017	Pasture	Agriculture A-20a	431
RP7761	Randolph Cabral	(3) 9-6-002: 013	Pasture	Agriculture A-20a	37
RP7838	Kimo I. Dacalio	(3) 9-6-012:004	Pasture	Agriculture A-20a	150.61

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAI'I | KA MOKU'ĀINA 'O HAWAI'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'ĀINA

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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

September 12, 2024

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, Hawaii Revised Statutes (HRS), and Chapter 11-200.1, Hawaii Administrative Rules (HAR):

Project Title:	Set Aside to the Department of Agriculture for Pasture, Intensive Agriculture and Apiary Purposes.
Project / Reference No.:	
Project Location:	Government lands, Island of Hawaii;
Project Description:	Transfer of Government Lands Pursuant to Act 90 SLH 2003.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No. and Description:	In accordance with Hawaii Administrative Rules (HAR)§ 11-200.1-16 (a)(1) 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 Exemption Type 1, which 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." Part 1, Item 36 that states " <u>Transfer of management authority over State-owned lands, such as setting aside of State lands to or from other government agencies through a Governor's Executive Order</u> ".
Cumulative Impact of Planned Successive Actions in Same Place Significant?:	No. Staff believes there are no cumulative impacts involved.

EXHIBIT C

**Action May Have
Significant Impact on
Particularly Sensitive
Environment?:**

No. There are no particular sensitive environmental issues involved with the proposed use of the property.

Analysis:

The transfer of these lands is in conjunction with Act 90 of the 2003 Session Laws of Hawaii, requiring all existing agriculture leases and permits along with all suitable agricultural lands to be transferred from the Department of Land and Natural Resources to the Department of Agriculture upon approval of both the Board of Land and Natural Resources and the Board of Agriculture.

Consulted Parties:

State of Hawaii agencies
County of Hawaii agencies,

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.