

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

April 11, 2025

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

PSF No.: 25OD-025

Oahu

Issuance of Right-of-Entry Permit to Popoki Place Oahu Cat Sanctuary for Due Diligence Purpose, Waialeale, Koolauloa, Oahu, Tax Map Key: (1) 5-8-001:053.

APPLICANT:

Popoki Place Oahu Cat Sanctuary, Hawaii nonprofit corporation and Internal Revenue Code Section 501(c)(3) tax exempt organization. Copy of IRS Determination Letter as attached as **Exhibit A**.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waialeale, Koolauloa, Oahu, identified by Tax Map Key: (1) 5-8-001:053, as shown on the attached map labeled **Exhibit B**.

AREA:

20.629 acres, more or less.

ZONING:

State Land Use District:	Agricultural
City and County of Honolulu:	AG-2

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:

Non-Exclusive Easement 1 for Roadway and Utility purposes, a portion of Governor's Executive Order No. 3046 issued to the Board of Water Supply, City and County of Honolulu for Water Well Site and Easement.

CHARACTER OF USE:

Due Diligence purposes.

TERM OF RIGHT-OF-ENTRY:

Three (3) months. Further, the Chairperson can extend the requested right-of-entry permit for additional periods not to exceed one year for good cause shown.

CONSIDERATION:

Gratis.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-16 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 Class No. 5 that states, "Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource," and Item 1 that states, "conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc." and Item 2 that states, "non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping." The subject request is a de minimis action that will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of §11-200.1-16, HAR. (**Exhibit C**)

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

APPLICANT REQUIREMENTS:

1. Coordinate all access and impact to Kamehameha Highway with Department of Transportation, Highways Division, Oahu District Office.

REMARKS:

The Popoki Place Oahu Cat Sanctuary ("Popoki Place") has requested a right-of-entry (ROE) permit to conduct due diligence activities to determine whether the subject lands are suitable for use as a cat sanctuary. The ROE is limited to due diligence activities such as research, data collection, surveys and mapping, and would not allow Popoki Place to undertake any construction or ground-disturbing activities on the land.

Popoki Place indicates its long-term plan is to locate land suitable for a large-scale sanctuary with multiple fenced enclosures for feral and homeless cats on the island of Oahu. The sanctuary will prioritize the intake of cats removed from areas where the state has concerns about negative interactions between cats and protected wildlife. In addition to housing cats, Popoki Place will be an educational program to teach children and adults about Hawaii's fragile ecosystem.

In addition to fenced enclosures, plans for other improvements in the sanctuary include a visitor center/offices/housing for caretakers, spay/neuter medical clinic, parking area, utilities and approved wastewater system.

If Popoki Place's due diligence shows that the subject parcel is a viable candidate for its project, Popoki Place would need to conduct an Environmental Assessment with a Finding of No Significant Impact (EA/FONSI), or an Environmental Impact Statement (EIS) for the project before returning to the Board with a request for a direct lease of the site for a cat sanctuary.

Comments were solicited from the following agencies:

DLNR-Division of Forestry and Wildlife	No objections.
DLNR-Division of Aquatic Resources	No response received.
DLNR-Commission on Water Resources Management	No response received.
DOT- Highways Division	Please coordinate all access and impact to Kamehameha Highway with our Oahu District Office.
Department of Agriculture	No response received.
C&C-Board of Water Supply	No objections.
C&C-Dept of Parks & Recreation	No response received.

Applicant has not had a lease, permit, easement or other disposition of State and

terminated within the last five years due to non-compliance with such terms and conditions. There are no other pertinent issues or concerns. Staff recommends the issuance of the requested right-of-entry for the purpose stated above.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-16, HAR, the request for a right-of-entry permit for due diligence purposes 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 Popoki Place Oahu Cat Sanctuary covering the subject 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;
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
  - C. The Chairperson may extend the right-of-entry permit for additional periods not to exceed one year for good cause shown.

Respectfully Submitted,



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Patti E. Miyashiro  
Land Agent

APPROVED FOR SUBMITTAL:



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Dawn N. S. Chang, Chairperson





Department of the Treasury  
Internal Revenue Service  
Tax Exempt and Government Entities  
P.O. Box 2508  
Cincinnati, OH 45201

POPOKI PLACE OAHU CAT SANCTUARY  
C/O HOLLY HOLOWACH  
478 IANA STREET  
KAILUA, HI 96734-3404

Date: 01/28/2022  
Employer ID number: 87-3512540  
Person to contact: Name: Customer Service  
ID number: 31954  
Telephone: 877-829-5500  
Accounting period ending: June 30  
Public charity status: 170(b)(1)(A)(vi)  
Form 990 / 990-EZ / 990-N required: Yes  
Effective date of exemption: February 24, 2021  
Contribution deductibility: Yes  
Addendum applies: No  
DLN: 26053721001151

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

A handwritten signature in cursive script that reads "Stephen A. Martin".

Stephen A. Martin  
Director, Exempt Organizations  
Rulings and Agreements

Letter 947 (Rev. 2-2020)  
Catalog Number 35152P

**EXHIBIT A**

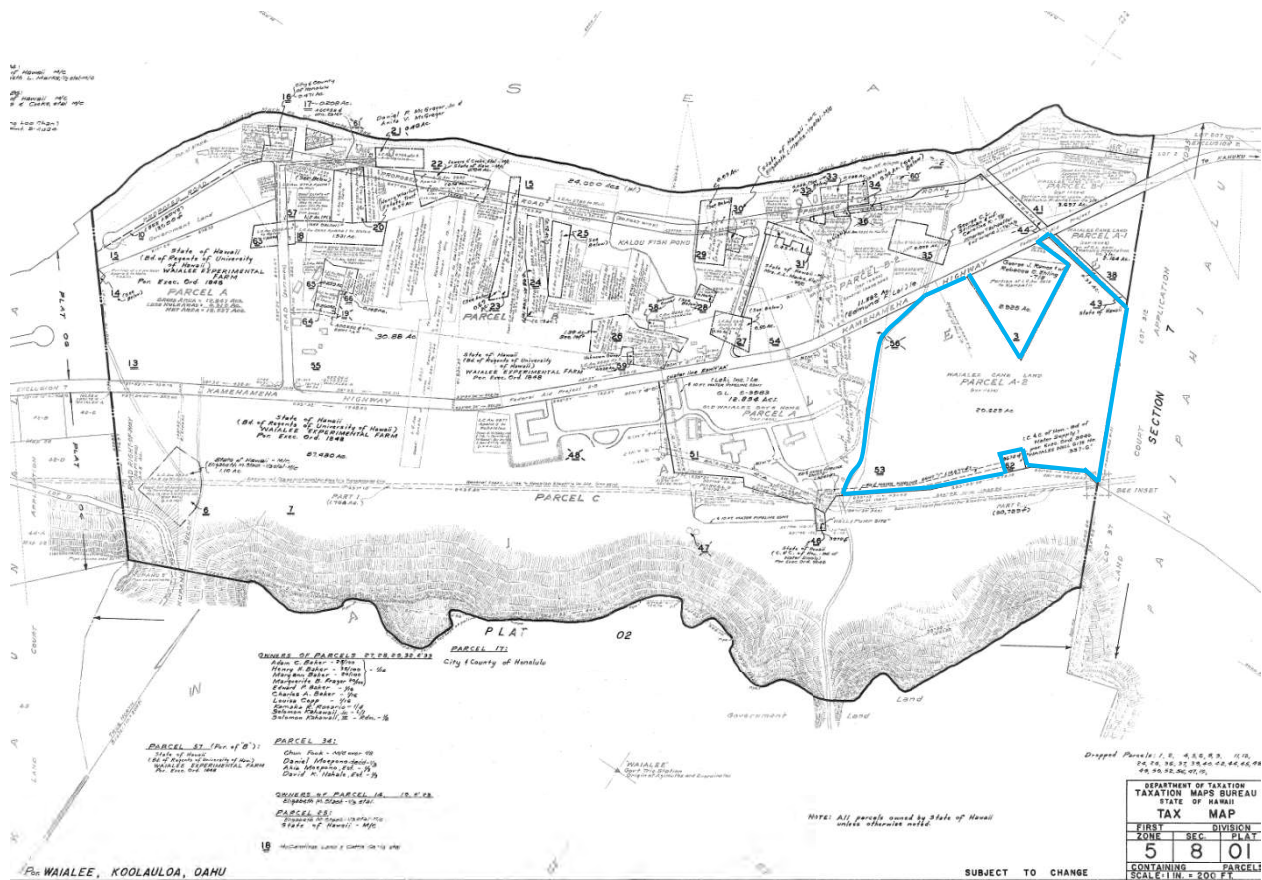


EXHIBIT B

## EXEMPTION NOTIFICATION

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

Project Title:	Right-of-Entry for Due Diligence Purposes.
Project / Reference No.:	25OD-025
Project Location:	Waialeale, Koolauloa, Oahu: TMK: (1) 5-8-001:053.
Project Description:	Due Diligence Purposes
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-16 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 Class No. 5 that states, "Basic data collection, research, experimental management, and resource and infrastructure testing and evaluation activities that do not result in a serious or major disturbance to an environmental resource," and Item 1 that states, "conduct surveys or collect data on existing environmental conditions (e.g., noise, air quality, water flow, water quality, etc." and Item 2 that states, "non-destructive data collection and inventory, including field, aerial and satellite surveying and mapping." The subject request is a de minimis action that will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of §11-200.1-16, HAR
Cumulative Impact of Planned Successive Actions in Same Place Significant:	No, the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.
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 involve negligible change from what is existing.

## EXHIBIT C

Consulted Parties:	Agencies described in the submittal.
Analysis:	Staff believes the request would involve negligible or no expansion or change in use of the subject location beyond that previously existing.
Recommendation:	That the Board find the subject request will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-17, HAR.