

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

September 9, 2010

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

KAUAI

Approval in Concept of the Set Aside to the Department of Land and Natural Resources, Division of Forestry and Wildlife, Approximately 11.66 Acres for Addition to the Puu Ka Pele Forest Reserve at Waimea Valley, Waimea, Kauai, Tax Map Key (4) 1-5-003: 001.

Request to Conduct a Public Hearing Regarding the Additions of Approximately 11.66 Acres to the Puu Ka Pele Forest Reserve at Waimea Valley, Waimea, Kauai, Tax Map Key (4) 1-5-003: 001; and, Approximately 52 Acres to the Lihue-Koloa Forest Reserve at Wailua, Lihue, Kauai, Tax Map Key (4) 3-9-001: portion of 002.

Background:

Our Board submittal covers two (2) separate properties as follows:

The Board at its meeting on February 10, 2006 (D-1), approved and recommended to the Governor the set-aside of approximately 9,216 acres for addition to the Puu Ka Pele Forest Reserve at Waimea, Kauai, to the Division of Forestry and Wildlife (DOFAW). On October 9, 2007, Governor Lingle signed Executive Order No. 4202. The Puu Ka Pele Forest Reserve surrounds General Lease No. S-5479 held by Tatsuo and Elsie Nishi and Nikola and Claudia Nishi. Recently, the Land Board at its meeting held on April 8, 2010 (D-2) approved the mutual cancellation of General Lease No. S-5479. Ms. Nishi notified the Department that as of January 2010 they had vacated the leasehold property and requested that General Lease No. S-5479 be mutually cancelled as of March 2010. Ms. Nishi cited that it would be difficult to start planting since the leasehold property would revert back to the State after August 31, 2010. The lease was cancelled as of March 31, 2010. This property is currently unencumbered State lands. This submittal, if approved will allow DOFAW to start the public hearing process.

The Land Board at its meeting held on February 23, 2001 (D-11), approved to recommend to the Governor a set aside to DOFAW for approximately 52 acres of lands for addition to the Lihue-Koloa Forest Reserve at Wailua, Lihue, Kauai, TMK (4) 3-9-001: portion of 002. The 52 acres is part of a 6,543.668 acres leased to Lihue Plantation Co. which closed down in 2000. Now this area is known as Kalepa consisting of approximately 13 month-to-month tenants managed by Land Division. The Governor on August 11, 2006 signed Executive Order No. 4168 issued to the County of Kauai for 18.007 acres to be used for recreational purposes. Later, the Land Board at its meeting of

April 25, 2008 (D-1) approved to recommend to the Governor a set aside to Agribusiness Development Corporation for approximately 5,963.972 acres for agricultural purposes. This request is pending at the Governor's office. At this time, the 52 acres still require surveying and County subdivision approval. This submittal, if approved will allow DOFAW to start the public hearing process.

Discussion:

The addition of 11.66 acres to the Puu Ka Pele Forest Reserve will provide long-term protection provided by the State of Hawaii Forest Reserve System statutes and rules. Consolidation would ensure all State-owned lands in the area are consistently managed.

The addition of 52 acres to the Lihue-Koloa Forest Reserve will be the first public shooting range for residents and government agencies on Kauai.

DOFAW seeks Land Board approval to start the process to conduct a public hearing regarding these proposed Forest Reserve System additions on Kauai. DOFAW will return to the Land Board at a later date to report the results of the public hearing.

RECOMMENDATION: That the Board:

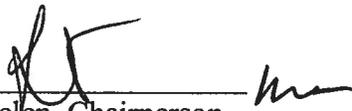
1. Approve in concept the set-aside of parcel (4) 1-5-003: 001, comprising of approximately 11.66 acres to the Division of Forestry and Wildlife (DOFAW) for addition to the Puu Ka Pele Forest Reserve, Waimea Valley, Waimea, Kauai. The proposed set-aside to DOFAW for addition to the forest reserve shall be subject to staff returning to the Land Board at a later date to report the results of the public hearing held pursuant to Recommendation Nos. 2 and 3 below.
2. Pursuant to HRS §183-11, as amended, authorize the Division of Forestry and Wildlife to conduct a public hearing on the island of Kauai regarding the proposed additions of approximately 11.66 acres to the Puu Ka Pele Forest Reserve at Waimea Valley, Waimea, Kauai, identified as Tax Map Key (4) 1-5-003: 001, and approximately 52 acres to the Lihue-Koloa Forest Reserve at Wailua, Lihue, Kauai, identified as Tax Map Key (4) 3-9-001: portion of 002.
3. Pursuant to HRS §183-12, as amended, authorize the Chairperson to:
 - a. Set the date, location and time of the public hearing; and
 - b. Appoint a hearing master(s) for the public hearing.

Respectfully Submitted,



Charlene Unoki
Assistant Administrator

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson

Exhibit A

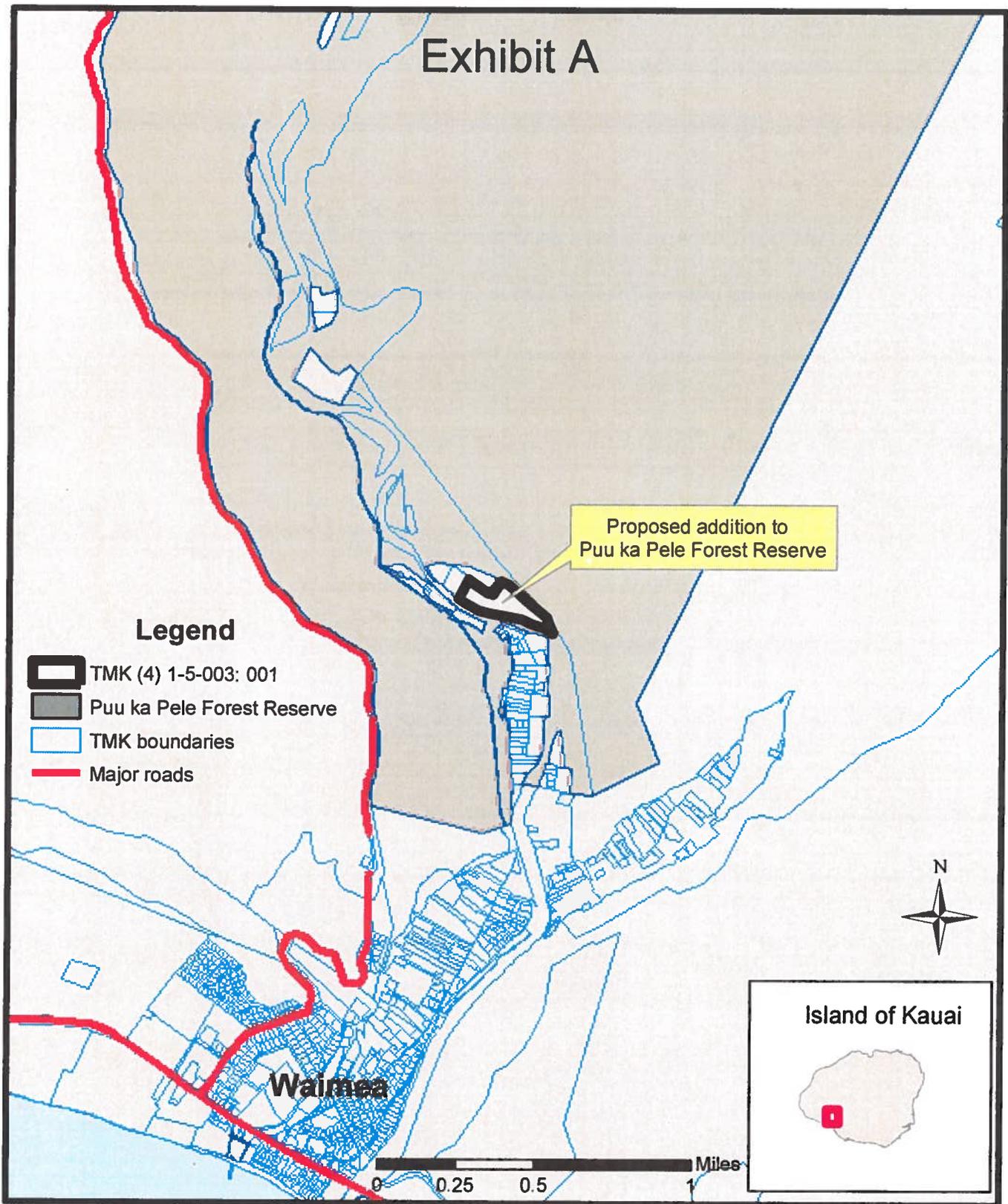


Exhibit B



Waialeale
Highways

Proposed addition to
Lihue-Koloa Forest Reserve

Legend

- TMK (4) 3-9-601: por. 002
- Lihue-Koloa Forest Reserve
- TMK boundaries
- Major roads



State of Hawaii
Department of Land and Natural Resources
Division of Forestry and Wildlife
808-587-0166

August 2010