

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

November 22, 2010

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

PSF No.:10MD-162

Maui

Issuance of Immediate Right-of-Entry to State Department of Transportation, Highways Division for Kawela Bridge Replacement Purposes, Kawela, Molokai, Tax Map Key: (2) 5-4-001:102 por.

APPLICANT:

State of Hawaii, Department of Transportation, Highways Division

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Kawela, Molokai, M.P. 5.110 to M.P. 5.118, Kamehameha V Highway further identified by Tax Map Key: (2) 5-4-001:102 por. as shown on the attached map labeled Exhibit A.

AREA:

Construction Parcel No. C1 = 0.006 acres or 277 sq. ft. more or less. See Exhibit B.

ZONING:

State Land Use District: Agriculture
County of Maui CZO: Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO

CURRENT USE STATUS:

Vacant and unencumbered.

TERM OF RIGHT-OF-ENTRY:

Effective immediately upon Board approval (for federal funding requirements); Construction duration 24 months beginning April, 2011.

CONSIDERATION:

Gratis.

PURPOSE:

Temporary work area for Kawela Bridge replacement.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

FEA acceptance by State DOT was published in the July 23, 2009 issue of OEQC's Environmental Notice.

The Federal Highways Administration approved a categorical exclusion on August 12, 2009.

REMARKS:

Kawela Bridge was constructed on Kamehameha V Highway on Molokai more than 60 years ago. The subject bridge replacement project will provide a wider bridge that meets current seismic design criteria and present-day vehicular loadings. It will also provide a walkway for pedestrians and a larger waterway opening to improve the hydraulic capacity of the bridge.

The subject vacant and unencumbered State parcel, further identified as Construction Parcel C1 will be used as a temporary work area for the duration of the project. Construction is estimated to begin April 2011 and continue for approximately 24 months. No permanent improvements will be constructed on the subject land.

Funding for the subject project is authorized by SLH 2002, Act 177 and is part of Federal Aid Project No. BR-0450(8).

FEA acceptance by State DOT was published in the 7-23-09 issue of the OEQC The Environmental Notice. A categorical exclusion was approved by the Federal Highways Administration on 8-12-09.

Special Management Area Permit No. SM1 2009/0002 approved on 9-28-09.

Conservation District Use Permit No. CDUA: MO-3537 approved on 5-13-10.

Department of Army Permit, Section 404 and Section 10, were submitted 2-1-10 and assigned Permit No. POH 2006-00500. Approved 9-3-10.

Section 401 Water Quality Certification was submitted 2-1-10. DOH will give review 2nd highest priority due to CIP strike force project.

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Public Notice of Proposed Action scheduled to be published for solicitation of public comment by 11-8-10. After 30-day comment period, DOH Director is expected to issue Section 401 WQC and NPDES Permit by early January 2011.

Coastal Zone Management Consistency Review Approval Application submitted to DBEDT Office of Planning 2-4-10. On 10-14-10 DBEDT responded that due to 9-30-10 Dept. of Army authorization under Nationwide Permit (NWP) No. 14 Linear Transportation Projects, an individual CZM review of the project is not required.

Stream Channel Alteration Permit No. SCAP 2588.4 approved on 3-15-10.

Special Flood Hazard Area Use Permit; Stockpiling Permit; Construction Permit - to be submitted by winning contractor.

RECOMMENDATION: That the Board

Authorize the issuance of a right-of-entry permit to the State of Hawaii, Department of Transportation, Highways Division covering the subject area under the terms and conditions cited, which are by this reference incorporated herein and further subject to the following:

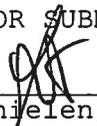
- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

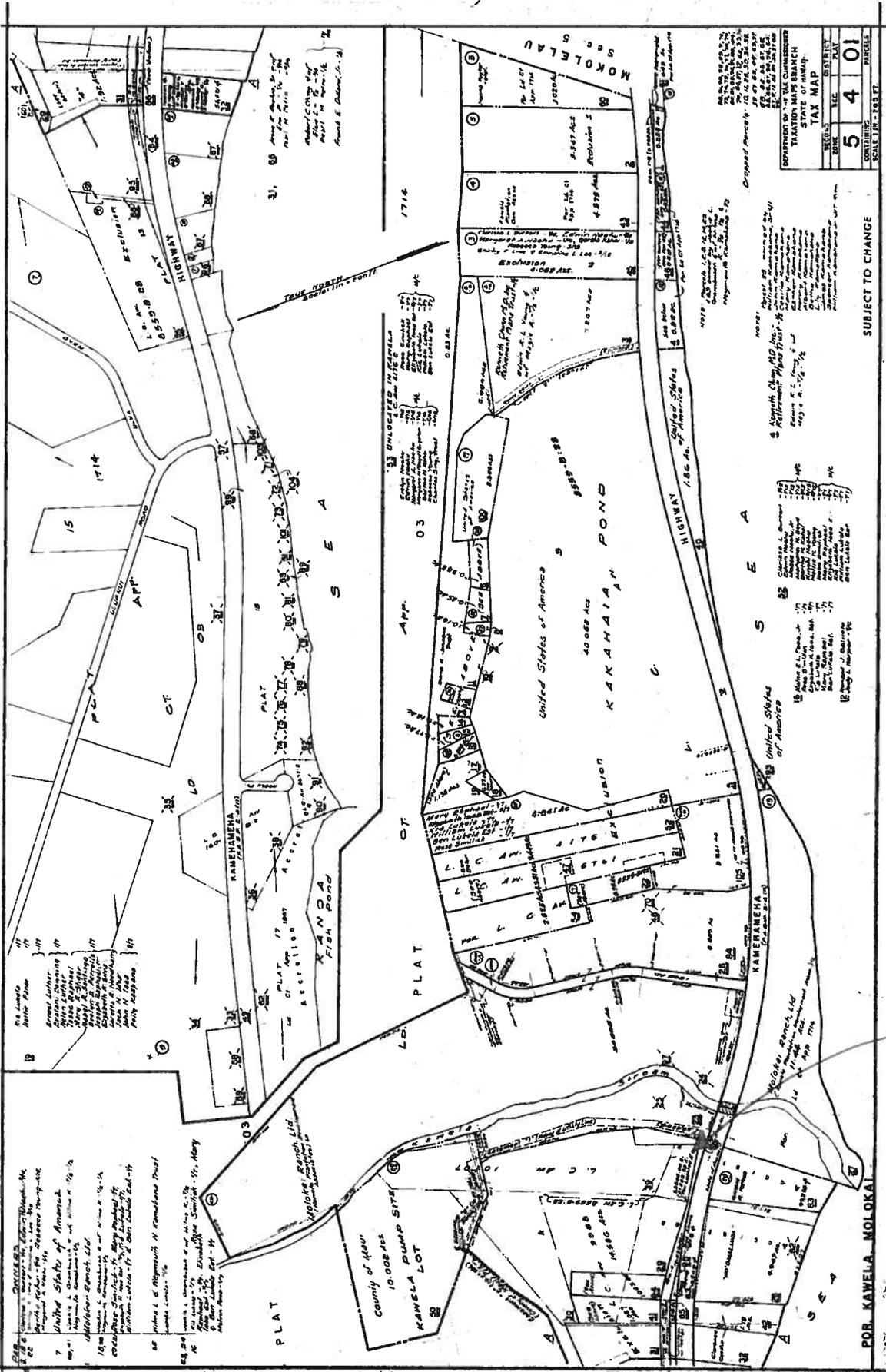


Daniel Ornellas
District Land Agent

APPROVED FOR SUBMITTAL:

✓ 

Laura H. Thielen, Chairperson



CONTAINING		5	4	01
SCALE IN FEET		1" = 100'		

DEPARTMENT OF THE COMMISSIONER
 TERRITORY OF HAWAII
 STATE OF HAWAII
 TAX MAP

SUBJECT TO CHANGE

SUBJECT AREA

EXHIBIT A

