

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

January 27, 2011

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

PSF No.: 09KD-133

Kauai

Issuance of Revocable Permit to Adam P. Killermann for Pasture Purposes; por. of Hanapepe, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-8-05:21.

APPLICANT:

Adam P. Killermann, married, Tenant in severalty.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Hanapepe Valley situated at Hanapepe, Waimea, Kauai, identified by Tax Map Key: (4) 1-8-05:21, as shown on the attached map labeled Exhibit A.

AREA:

45.11 acres, more or less.

ZONING:

State Land Use District: Agricultural  
County of Kauai CZO: Open

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:

Formerly encumbered by Revocable Permit No. S-6799, Lawrence Vidinha, Lessee, for pasture purposes, terminated on October 31, 2009.

CHARACTER OF USE:

Pasture purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$40.00 per month.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1)&(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Applicant is sole proprietorship and, as such, is not required to register with DCCA.

REMARKS:

On September 25, 1981, item F-18, the Board approved Revocable Permit No. S-5967, to Lawrence Vidinha and Daisy Vidinha identified as Tax Map Key: (4) 1-8-05:21.

On November 22, 1991, item F-14, the Board approved cancellation of Revocable Permit No. S-5967 on December 31, 1991. Additionally, the Board approved to withdraw 5, 698 square feet from Revocable Permit No. S-5967. Subsequently Revocable Permit No. S-6799 was issued to Lawrence Vidinha, commencing on January 1, 1992 for the smaller parcel 21.

This portion was set-aside to the County of Kauai, Department of Water for a pump, well site and access road under a portion of Governor's Executive Order No. 3614, on March 17, 1994. The 5,698 square foot area was designated parcel 27.

Mr. Lawrence Vidinha requested cancellation of the Revocable Permit No. S-6799 effective October 31, 2009.

Mr. Killermann is farming the adjoining parcel leased from A&B Properties, Tax Map Key: (4) 2-1-001:010.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Applicant is the president of Ajar Inc., an agricultural company growing seed corn and other products since 1997. From 1979 to 1997, applicant was the general superintendent for McBryde Sugar Company in charge of field irrigations. He holds a Bachelors Degree in Tropical Agriculture, which includes classes in animal management. Along with his employees, they have over 43 years experience raising cattle and goats. (Exhibit B).

There were no other applicants requesting the same parcel.

Comments were solicited from:

State Agencies:

DOH	No environmental health concerns
OHA	No comments
DOA	No comments

County Agencies

County Planning	No objections
Dept. of Water	Any subdivision of parcel dependent on adequacy of source, storage and lines

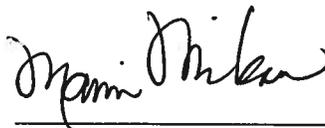
Other Agencies:

NRCS	No response by suspense date
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**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, 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.
2. Authorize the issuance of a revocable permit to Adam P. Killermann covering the subject area for pasture purposes 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 revocable permit form, as may be amended from time to time;
  - b. Review and approval by the Department of the Attorney General; and
  - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

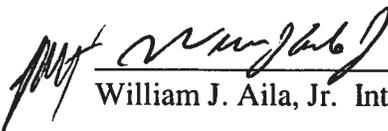
Respectfully Submitted,



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Marvin Mikasa  
Land Agent

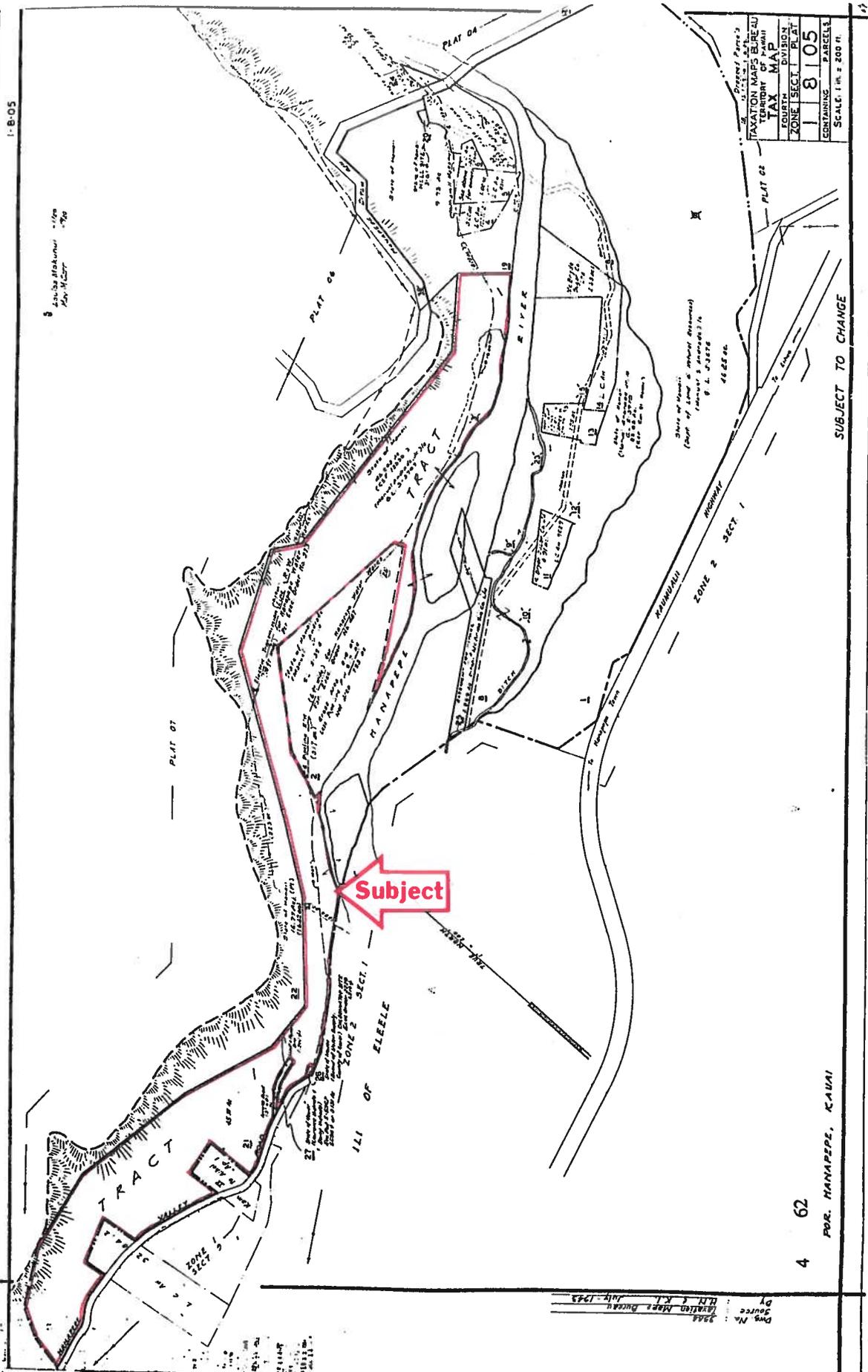
APPROVED FOR SUBMITTAL:



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William J. Aila, Jr. Interim Chairperson

# Tax Map Location



118105  
 CONTAINING PARCELS  
 TAXATION MAPS BUREAU  
 TERRITORY OF HAWAII  
 TAX MAP DIVISION  
 PLAT 02  
 ZONE SECT. 1, 2  
 SCALE: 1 IN. = 200 FT.

SUBJECT TO CHANGE

4 62  
 FOR MANAPEPE, KAUAI

By: [Signature]  
 Source: [Source]  
 Date: July 1953

EXHIBIT "A"

THE REGENTS OF  
**THE UNIVERSITY OF HAWAII**  
ON THE RECOMMENDATION OF THE FACULTY AT  
**University of Hawaii at Manoa**

HAVE CONFERRED UPON  
**Adam Patrick Killermann**

THE DEGREE OF  
**Bachelor of Science**  
**General Tropical Agriculture**

WITH ALL ITS PRIVILEGES AND OBLIGATIONS

Given at Honolulu, Hawaii, this twenty-third day of December,  
nineteen hundred seventy-eight

*Arthur J. Frohne*  
Chairman of the Board of Regents



*Louise S. Yovanovitch*  
Chancellor, Hawaii

*Lewis W. Johnston*  
President of the University

Marvin Mikasa  
State of Hawaii  
Dep't. of Land and Natural Resources  
Land Division  
3080 Eiwa St. Room 205A  
Lihue, HI 96766  
FAX:(808) 241-3535

Adam Killermann  
Kalaheo, HI 96741

December 28, 2010

Dear Mr. Mikasa,

I am writing this letter regarding my qualifications as a rancher.

- 1) Degree in Tropical Agriculture which included courses in animal management (UH 1978)
- 2) Director of West Kauai Soil and Water Conservation District. Pasture and range land management decisions are considerations in approving conservation plans for both private and state lands.
- 3) Three of my employees with ranching experience will be assisting me with this operation.  
Jon Farias- 15 years experience  
Joe Borja- 20 years experience  
James Louis- 8 years experience

If you have any questions, please feel free to contact me at

Sincerely,



Adam Killermann

EXHIBIT "B"



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

January 27, 2011

## EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Request for an Issuance of Revocable Permit to Adam Killermann for Pasture Purposes

Project / Reference No.: PSF 09KD-133

Project Location: Por. of Hanapepe, Hanapepe, Waimea, Kauai

Project Description: Issuance of new Revocable Permit for Pasture Purposes

Chap. 343 Trigger(s): Use of State Land

Exemption Class No. and Description: In accordance with Hawaii Administrative Rules, Section 11-200-8(a)(1)(4), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 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 Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

The Division has granted similar permits on the past. The activity continues to occur on other areas across the state. Such activities have resulted in no know significant impacts, whether immediate or cumulative, to natural, environmental and/or cultural resources in the area. As such staff believes that the proposed permit would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties: USDA - NRCS was consulted as a source authority having jurisdiction or expertise in this matter, and concurs that the

**EXHIBIT "C"**

exemption identified above is applicable to and appropriate for the proposed project.

**Recommendation:**

It is anticipated 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.

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William J. Aila, Jr., Interim Chairperson

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Date