

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

December 9, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawai'i

PSF No.: SP1102CMRP01

Maui

Preliminary Approval in Concept for the Department to Acquire Certain Private Lands for Park Purposes, Waikapū, Wailuku, Maui, Tax Map Key: (2)3-8-007:101 por.

APPLICANT AGENCY:

Department of Land and Natural Resources, Division of State Parks (State Parks).

PRIVATE LANDOWNER:

Alexander & Baldwin, Inc., a Hawai'i corporation.

LEGAL REFERENCE:

Sections 107-10, 171-11 and 171-30, Hawaii Revised Statutes, as amended.

LOCATION:

Privately-owned lands situated at Waikapū, Wailuku, Maui, identified by Tax Map Key: (2) 3-8-007:101 por., as shown on the attached map labeled Exhibit A.

AREA:

65 acres, more or less.

ZONING:

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

CURRENT USE:

Vacant and subject to encumbrances of record.

CONSIDERATION:

One-time payment by Applicant to be determined by independent or staff appraisal, subject to review and approval by the Board or as may be delegated review and approval to the Chairperson by the Board.

PURPOSE:

Regional park purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 343-5(a)(1), HRS, an environmental assessment (EA) is not required where State or county funds are being used for the acquisition of unimproved real property. As the subject lands are unimproved, an EA is not required. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

Applicant (Department) shall be required to:

- 1) Pay for the appraisal cost to determine the value of the properties to be acquired;
- 2) Process and obtain subdivision approval at Applicant's own cost, or in the alternative, applicant may acquire title to the property as a separate parcel portion of TMK : (2)3-8-007:101 via a 'stand alone' legal description prior to State land use reclassification;
- 3) Provide survey maps and descriptions for the privately-owned property according to State DAGS standards and at Applicant's own cost;
- 4) Obtain a title report for the privately-owned property and subject to review and approval of all encumbrances on the land by the Applicant/Department and the Department of Attorney General;
- 5) Pay for and conduct a Phase I environmental site assessment and, if this Phase I identifies the potential for hazardous materials release or the presence of hazardous materials, conduct a Phase II environmental sampling and analysis plan and perform any and all remediation, abatement and disposal as may be warranted and as satisfactory to the standards required by the Federal Environmental Protection Agency and/or the State Department of Health.

REMARKS:

This request is for the approval in concept for the acquisition of privately owned lands for the purpose of developing a regional park in the master planned community known as "Wai'ale" Wailuku, Maui in furtherance of legislative action taken in the 2011 session. A conceptual community master plan map is attached as Exhibit "B".

The 2011 Hawai'i State Legislature appropriated \$9,000,000. in general obligation bonds as a legislative add-on for this project and the Administration approved and released the funding in November 2011 for the acquisition and development of the park. The property consists of approximately 65 acres of unimproved fallow land and was designated by landowners, Alexander & Baldwin, Inc. in an application before the State Land Use Commission, for re-classification

from agricultural to urban use. The land may have been in agricultural use in the past. Staff has met with representatives with Alexander and Baldwin who have expressed their intent in selling the land to the State while they pursue various approvals needed to properly entitle the Wai'ale project

State Parks plans to develop this property as a regional park for outdoor, active recreational use. Currently, State Parks does not have the manpower, financial resources or the necessary expertise to manage these types of recreational activities and will explore management options. The improvements envisioned for the property include the development of a variety of playing fields and venues as well as parking, restrooms and other facilities. Design is still pending.

A portion of the funds from this appropriation will be used for due diligence costs such as an appraisal, a Phase I/II environmental assessment, a title report, survey and other related acquisition costs. State Parks seeks the Board's approval to use such funds for due diligence in this submittal effective immediately.

RECOMMENDATION: That the Board:

1. Approve, in concept, the acquisition of land pursuant to the terms above, which, by this reference, are incorporated herein and further provided that appropriate due diligence shall be conducted by State Parks and details of the proposed acquisition shall be submitted to the Board for final approval prior to documentation;
2. Authorize the expenditure of funds for due diligence costs and other Applicant Requirements as herein described; and,
3. Authorize the Chairperson to prescribe other terms and conditions as may be necessary to carry out the intent of the Board and to best serve the interests of the State.

Respectfully Submitted,



Daniel S. Quinn, Administrator

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson

Exhibit "A" Tax Map Key

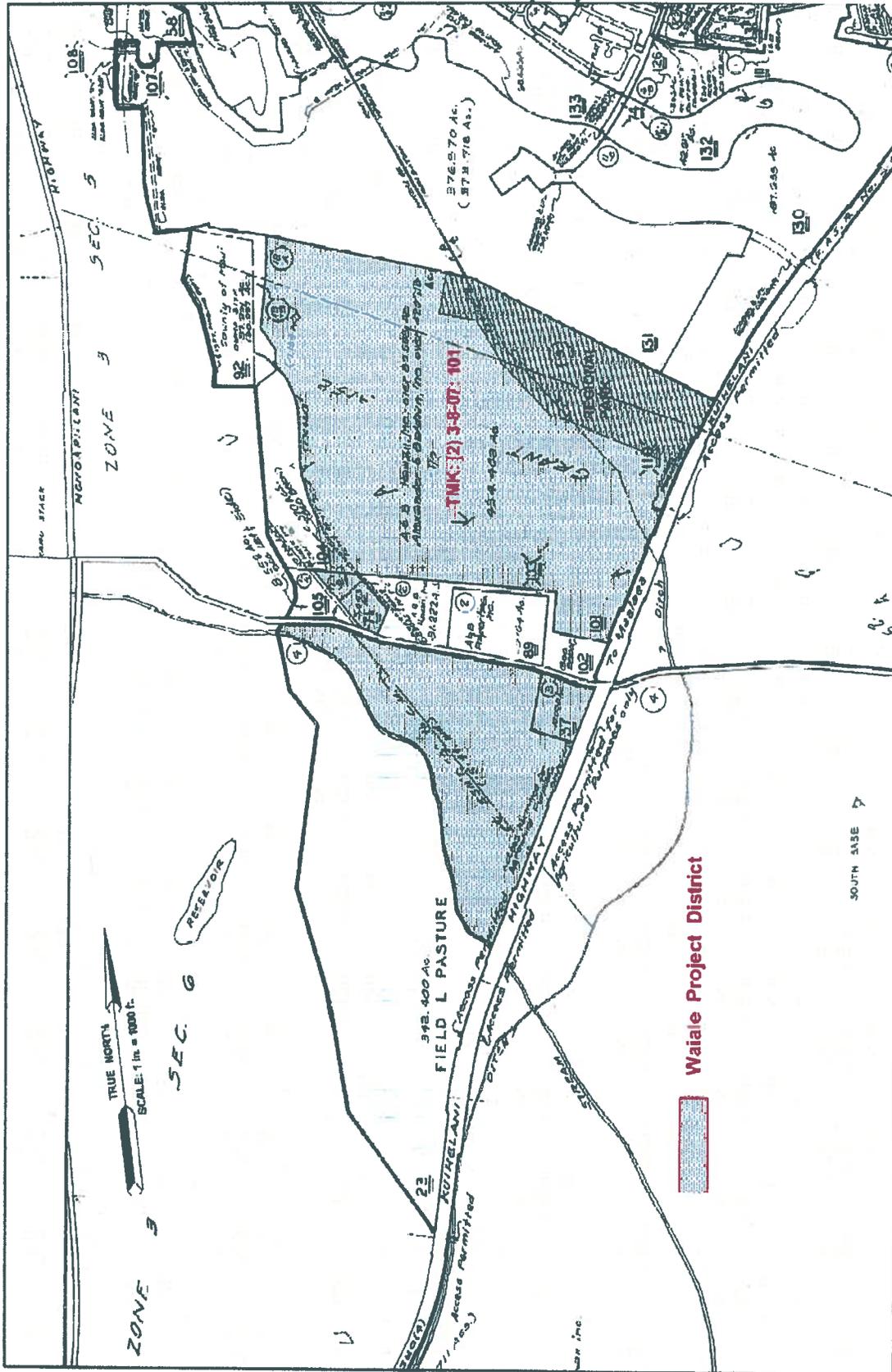


Exhibit "B" Conceptual Community Master Plan Map

