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

June 22, 2007

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

PSF No.: 07MA-016

Maui

Set Aside to County of Maui for Community Center Purposes,
Nahiku Homesteads, Nahiku, Koolau, Tax Map Key: (2) 1-2-
002:023.

APPLICANT:

County of Maui, Department of Parks and Recreation

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Nahiku Homesteads,
Nahiku, Koolau, Maui, identified by Tax Map Key: (2) 1-2-002:023,
as shown on the attached map labeled Exhibit A.

AREA:

1.090 acres, more or less.

ZONING:

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

CURRENT USE STATUS:

The subject parcel is currently unencumbered. The parcel was
formerly leased to Mr. James Sagawinit for recreational and
community use, landscaping and maintenance purposes under Revocable
Permit number S-6161 that was issued on January 1, 1985. On April

20, 2007 Revocable Permit S-6161 was cancelled.

PURPOSE:

Community Center purposes.

CHAPTER 343-ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. In as much 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 shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.

BACKGROUND:

This parcel is known as the former Nahiku School Lot and was encumbered by Mr. Donald A. Wallace from December 1, 1972 to October 31, 1984 under Revocable Permit No. S-4894. Upon Mr. Wallace's request the permit was cancelled.

The parcel was then encumbered by Mr. James Sagawinit under Revocable Permit No. S-6161 on January 1, 1985, for recreational and community use. On December 13, 2005 the old Nahiku School building located on the parcel burned down, possibly due to arson. To date, there is no record that anyone has been arrested or charged with regards to the arson investigation.

On January 3, 2007, the Department of Land & Natural Resources received a letter from former Mayor Alan Arakawa requesting the old Nahiku School property be transferred to the County of Maui via an executive order. The letter further indicated that the County would then develop the old Nahiku School property and provide a venue for cultural, social and community events for the Nahiku community.

The Nahiku Community Association has requested a right-of-entry permit to do clean-up work on the subject parcel. At the time of the request Mr. Sagawinit denied the requestors access to enter the property. Currently clean-up responsibilities for the parcel is that of Mr. James Sagawinit. Land Division has no objections to allowing the County of Maui to accept the parcel in its current (as is) condition. Revocable Permit No. S-6161 to Mr. James Sagawinit was cancelled on April 20, 2007.

REMARKS:

Staff has no objections to the County's proposed use because it is for the benefit of the residents of Nahiku.

Agency or community comments were solicited from the County of Maui, Department of Planning and the Office of Hawaiian Affairs.

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

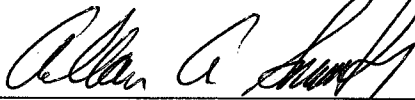
1. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the County of Maui under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Allan A. Smith, Interim Chairperson

