

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



EDWIN H. SNIFFEN
DIRECTOR
KA LUNA HO'OKELE

Deputy Directors
Nā Hope Luna Ho'okele
DREANALEE K. KALILI
TAMMY L. LEE
CURT T. OTAGURO
ROBIN K. SHISHIDO

**STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'
DEPARTMENT OF TRANSPORTATION | KA 'OIHANA ALAKAU
AIRPORTS
400 RODGERS BOULEVARD, SUITE 700
HONOLULU, HAWAII 96819-1880**

IN REPLY REFER TO:

AIR-PM 24.0669

October 10, 2024

DOT Land Matters
State of Hawaii
Honolulu, Hawaii

APPROVAL FOR THE ACQUISITION OF PRIVATELY-OWNED
LANDS FOR ADDITION TO LIHUE AIRPORT,
SITUATE AT HANAMAULU, LIHUE, KAUAI
TAX MAP KEY: (4) 3-7-002:019, (4) 3-7-002:020 AND (4) 3-7-002-022

KAUAI

APPLICANT AGENCY:

State of Hawaii, Department of Transportation (HDOT).

PRIVATE LANDOWNER:

Visionary LLC, a Virginia limited liability company (Grantor).

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS), Sections 26-19, 171-2 and 261-4, as amended.

LOCATION:

Privately-owned lands situated within the Ahukini Makai Industrial Subdivision at Hanamaulu, Lihue, Kauai, identified as Tax Map Key: (4) 3-7-002:019, (4) 3-7-002:020 and (4) 3-7-002-022, as shown on the attached map labeled Exhibit A.

AREA:

Lot 2, Tax Map Key: (4) 3-7-002:019, 40.654 acres.
Lot 3, Tax Map Key: (4) 3-7-002:020, 25.002 acres.
Lot 5, Tax Map Key: (4) 3-7-002:022, 13.039 acres.

APPROVAL FOR THE ACQUISITION OF PRIVATELY-OWNED LANDS FOR ADDITION TO THE LIHUE AIRPORT

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ZONING:

State Land Use: Urban
County: Industrial (IG-STP)

LAND TITLE STATUS:

Section 5(a), Hawaii Admission Act: Non-Ceded
DHHL, 30% entitlement lands Yes _____ No X

CURRENT USE STATUS:

Subdivision of Grantor's lands has been completed pursuant to the purchase agreement to include the subject parcels of land. The lands are currently unimproved, vacant lands. Grantor is in the process of obtaining necessary approvals to begin construction of infrastructure improvements for the Ahukini Makai Industrial subdivision as provided in the purchase agreement.

CONSIDERATION:

As determined by appraisal pursuant to HRS 171-30:

Lot 2: \$18,673,687.84

Lots 3 and 5: \$16,587,000.00

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

The environmental impacts of the proposed acquisition were evaluated in the Lihue Airport Improvements Final Environmental Impact Statement (FEIS), prepared by HDOT, and published by the Office of Environmental Quality Control in the November 23, 2007, issue of The Environmental Notice. HDOT has determined that the proposed action is consistent with the 2007 FEIS and no further assessment is necessary.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO _____
Registered business name confirmed:	YES <u>X</u>	NO _____
Good standing confirmed:	YES <u>X</u>	NO _____

APPROVAL FOR THE ACQUISITION OF PRIVATELY-OWNED LANDS FOR ADDITION
TO THE LIHUE AIRPORT

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REMARKS:

This request for approval for the acquisition of privately-owned lands was previously approved under Hawaii Revised Statutes (HRS Chapter 171), by the Board of Land and Natural Resources on January 8, 2010, attached for reference as Exhibit B. Effective July 1, 2024, Act 109 became law, excluding lands set aside by the Governor to the Department of Transportation from the definition of public lands. Act 109 gave the Director of Transportation authorization to exercise all the powers vested in the Board of Land and Natural Resources for functions subject to HRS Chapter 171.

HDOT is proposing to acquire the above lands for expansion of airport facilities and to comply with requirements of the federal government to protect the airport from incompatible uses.

RECOMMENDATION:

Approve the acquisition of the subject parcels under the terms and conditions cited above, as previously approved by the Board of Land and Natural Resources, which are by this reference incorporated herein and further subject to the following:

1. An appropriate conveyance document, as reviewed by the Department of the Attorney General and by the Department of Transportation; and
2. Such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of HDOT.

Respectfully submitted,



CURT T. OTAGURO
Deputy Director of Transportation for Airports

Attachments

LINDA LINGLE
GOVERNOR



BRENNON T. MORIOKA
DIRECTOR

Deputy Directors
MICHAEL D. FORMBY
FRANCIS PAUL KEENO
BRIAN H. SEKIGUCHI
JIRO A. SUMIDA

STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

IN REPLY REFER TO:

January 8, 2010

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

APPROVAL OF THE ACQUISITION OF PRIVATE LANDS FOR AIRPORT USE,
PORTION OF HANAMAULU, LIHUE, KAUAI KAUAI

APPLICANT AGENCY:

Department of Transportation

PRIVATE LANDOWNER:

Visionary LLC, a Virginia limited liability corporation, dba Lihue Land Company

LEGAL REFERENCE:

Sections 171-10, 171-30 and 261-4 Hawaii Revised Statutes, as amended

LOCATION:

Privately-owned land situated at Hanamaulu, Lihue, Kauai identified by Tax Map Key (4) 3-7-3: 01 por, as shown on Exhibit A, attached.

AREAS:

Approximately 40.65 acres (Lot 2 on Exhibit A), which is currently part of a larger parcel of land consisting of approximately 171.869 acres as shown on Exhibit A, along with an option to purchase an additional 38.041 acres (Lots 3 and 5 on Exhibit A) of the remainder. Such option to be exercised within two years of closing of the first transaction. Actual area subject to survey and final subdivision approval.

EXHIBIT B

Approved by the Board
at its meeting held on

01-08-10 Item M-4

ZONING:

State Land Use:	Urban
County:	Industrial (IG-STP)

CURRENT USE:

Vacant

CONSIDERATION:

Based on appraisals conducted by the private landowner and the DOT, the price of the 40.65 acre parcel shall be \$14,900,282.41 and the price for the option land, 38.041 acres, shall be \$13,257,000.

PURPOSE:

Expansion of facilities at Lihue Airport

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 343-5(a)(1), HRS, an environmental assessment (EA) is not required where State of county funds are being used for the acquisition of unimproved real property. As the subject lands are unimproved, an EA is not required for the acquisition of these lands.

The current owner of the land has received tentative subdivision approval from the County of Kauai and is responsible for all costs of final subdivision.

REQUIREMENTS:

- 1) The private owner shall process and obtain subdivision approvals
- 2) The private owner shall provide survey maps and descriptions
- 3) The private owner shall provide title reports.

REMARKS:

The Department of Transportation is proposing to acquire the above lands for expansion of facilities and to comply with requirements of the federal government to protect the airport from incompatible uses.

The private land owner intends to develop the remaining land areas as an industrial subdivision and a waste water treatment facility. Neither use is considered to be incompatible with the operations and maintenance of an airport.

The private land owner will complete the final subdivision, including the designation of roadways providing access to the area from Kapule Highway and extending through the subdivision, including access to the parcels to be acquired, to permit traffic to access Ahukini Recreation Pier State Park without having to go through the airport proper.

RECOMMENDATION:


That the Board approve the above-described land acquisition subject to: (1) terms and conditions herein outlined, which are by reference incorporated herein; (2) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and, (3) review and approval of the Department of the Attorney General.

Respectfully submitted,

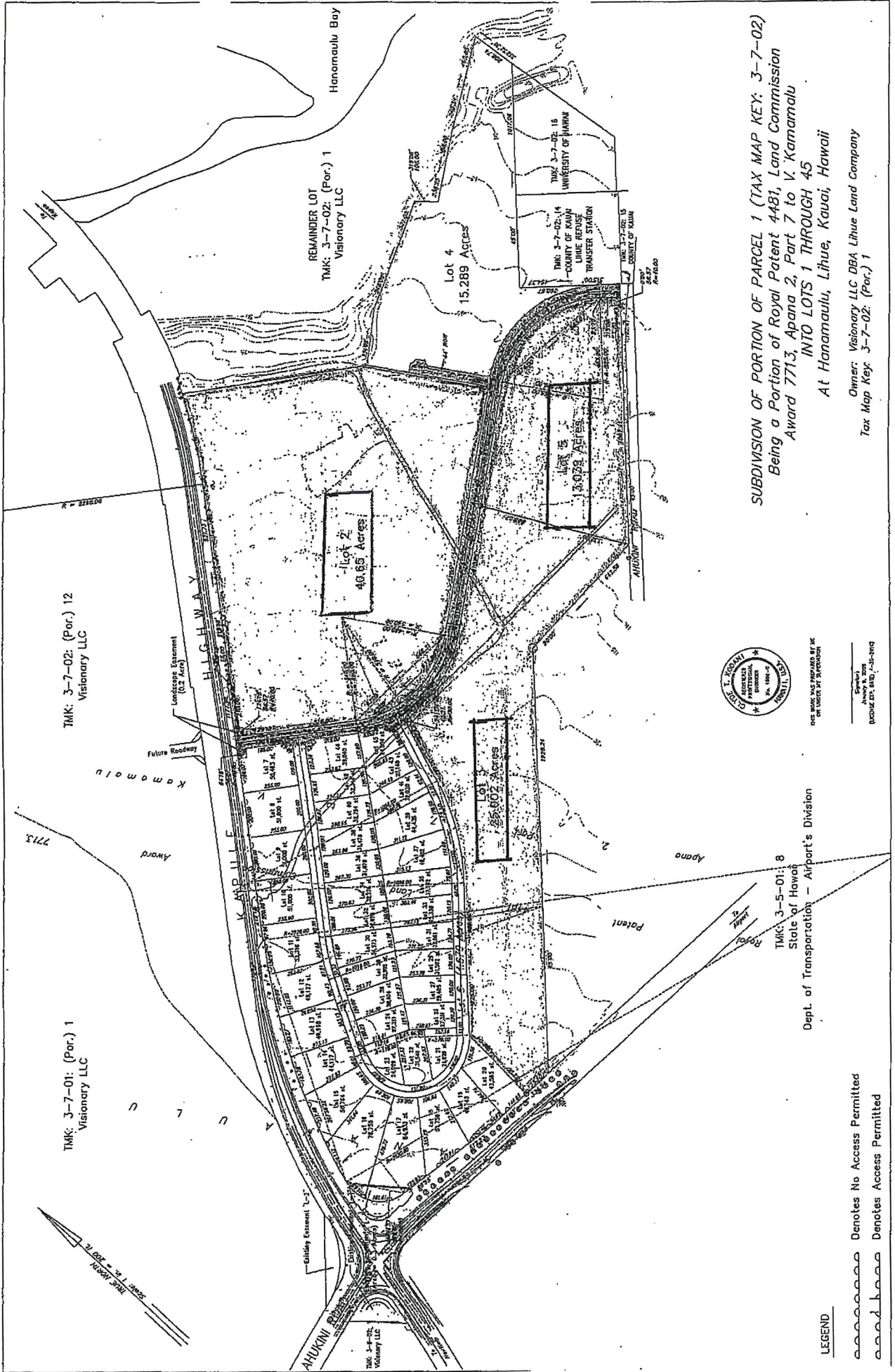


BRENNON T. MORIOKA, Ph.D., P.E.
Director of Transportation

APPROVED FOR SUBMITTAL:



LAURA H. THIELEN
Chairperson and Member



SUBDIVISION OF PORTION OF PARCEL 1 (TAX MAP KEY: 3-7-02)
 Being a Portion of Royal Patent 4481, Land Commission
 Award 7713, Apana 2, Part 7 to V. Kamamalu
 INTO LOTS 1 THROUGH 45
 At Hanamaulu, Lihue, Kauai, Hawaii

Owner: Visionary LLC DBA Lihue Land Company
 Tax Map Key: 3-7-02: (Par.) 1



THIS MAP WAS PREPARED BY ME
 IN ACCORDANCE WITH THE
 REQUIREMENTS OF THE HAWAIIAN
 ENGINEERING ACT

Surveyed by
 Charles L. Koomal
 Professional Engineer
 License No. 1188-02
 State of Hawaii

Dept. of Transportation - Airport's Division

TMK: 3-5-01: 8
 State of Hawaii

LEGEND
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