D-8

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

December 14, 2007

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

PSF No.: 07HD-092

Hawaii

Amend Prior Board Action of June 22, 2007, Agenda Item D-4, Cancellation of Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc., and Issuance of Month-to-Month Revocable Permit to Jill J. Andrade dba R.J. Ranch for Pasture Purposes; Kawela and Papaki, Hamakua, Hawaii, TMK: 3rd/4-6-02:07.

BACKGROUND:

At its meeting of June 22, 2007, Agenda Item D-4 (Exhibit A), the Land Board approved the cancellation of Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc., and issuance of month-to-month Revocable Permit to Jill J. Andrade dba R.J. Ranch for pasture purposes; Kawela and Papaki, Hamakua, Hawaii, TMK: 3rd/4-6-02:07.

Subsequent information, including tax clearances indicated that Jill J. Andrade remarried in 2005 and is currently using her married name of Jill Mattos for all legal matters.

Staff is therefore recommending that the Board amend its prior action of June 22, 2007, agenda item D-4 by changing the name of the applicant from Jill J. Andrade to Jill J. Mattos dba R J Ranch.

RECOMMENDATION: That the Board:

1. Amend its prior board action of June 22, 2007, Agenda Item D-4 by changing the name, Jill J. Andrade to Jill J. Mattos, dba R J Ranch.

2. All terms and conditions listed in its June 22, 2007 approval to remain the same.

Respectfully submitted,

Charlene E. Unoki

Gordon C. Heit
Land Agent

APPROVED FOR SUBMITTAL:

Laura H. Thielen, Chairperson

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.: 07HD-092

Hawaii

Cancellation of Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc., and Issuance of Month-to-Month Revocable Permit to Jill J. Andrade dba R.J. Ranch for Pasture Purposes; Kawela and Papaki, Hamakua, Hawaii, TMK: 3rd/4-6-02:07.

APPLICANT:

J. J. Andrade Slaughterhouse, Inc, whose business and mailing address is 46-3675 Mamalahoa Highway, Honoka'a, Hawaii 96727, and Jill J. Andrade dba R.J. Ranch, tenant in severalty (applicant).

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands described as Kawela and Papaki, Hamakua, Hawaii, identified by Tax Map Key: 3rd/ 4-6-02:07, as shown on the attached map labeled Exhibit A.

AREA:

67.69 acres, more or less.

ZONING:

State Land Use District: Agriculture
County of Hawaii CZO: A20A, 20-acre agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES

CURRENT USE STATUS:

Encumbered (Revocable Permit No. S-7174)

CHARACTER OF USE:

Pasture purposes.

Exhibit 'A'

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

The previous rent for this property was set at the minimum of $15.00 per month. Staff is recommending a new rate of $40.00 per month based on the minimum rent policy approved by the Board at its meeting of May 13, 2005 under agenda item D-19.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item No. 2 that states "existing authorized use of State land that continues with no interruption or change in use."

DCCA VERIFICATION:

Not applicable as individuals are not required to register with the DCCA.

REMARKS:

At its meeting of January 22, 1999 under agenda item D-19, the Board authorized the issuance of Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc. for pasture purposes.

The cancellation and reissue of this revocable permit is a result of a name change of the individual operating the ranch. Jill Andrade was a principle in the slaughterhouse operation and now wishes to manage the pasture under her personal ranch operation.

The 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. There have been no other applicants requesting use of these parcels. As this is a continuation of an existing use of the property, no agency or community comments were solicited.

Staff is recommending the Board cancel Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc. and issue a new permit to Jill J. Andrade dba R. J. Ranch.

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 cancellation of Revocable Permit No. S-7174 to J. J. Andrade Slaughterhouse, Inc. and issue a new permit to Jill J. Andrade dba R. J. Ranch, 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. Applicant shall re-apply as a cooperator with the Hamakua Soil and Water Conservation District within thirty (30) days from the effective date of this permit;

   c. Applicant shall maintain stock proof fence around the entire property

   d. Review and approval by the Department of the Attorney General; and

   e. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

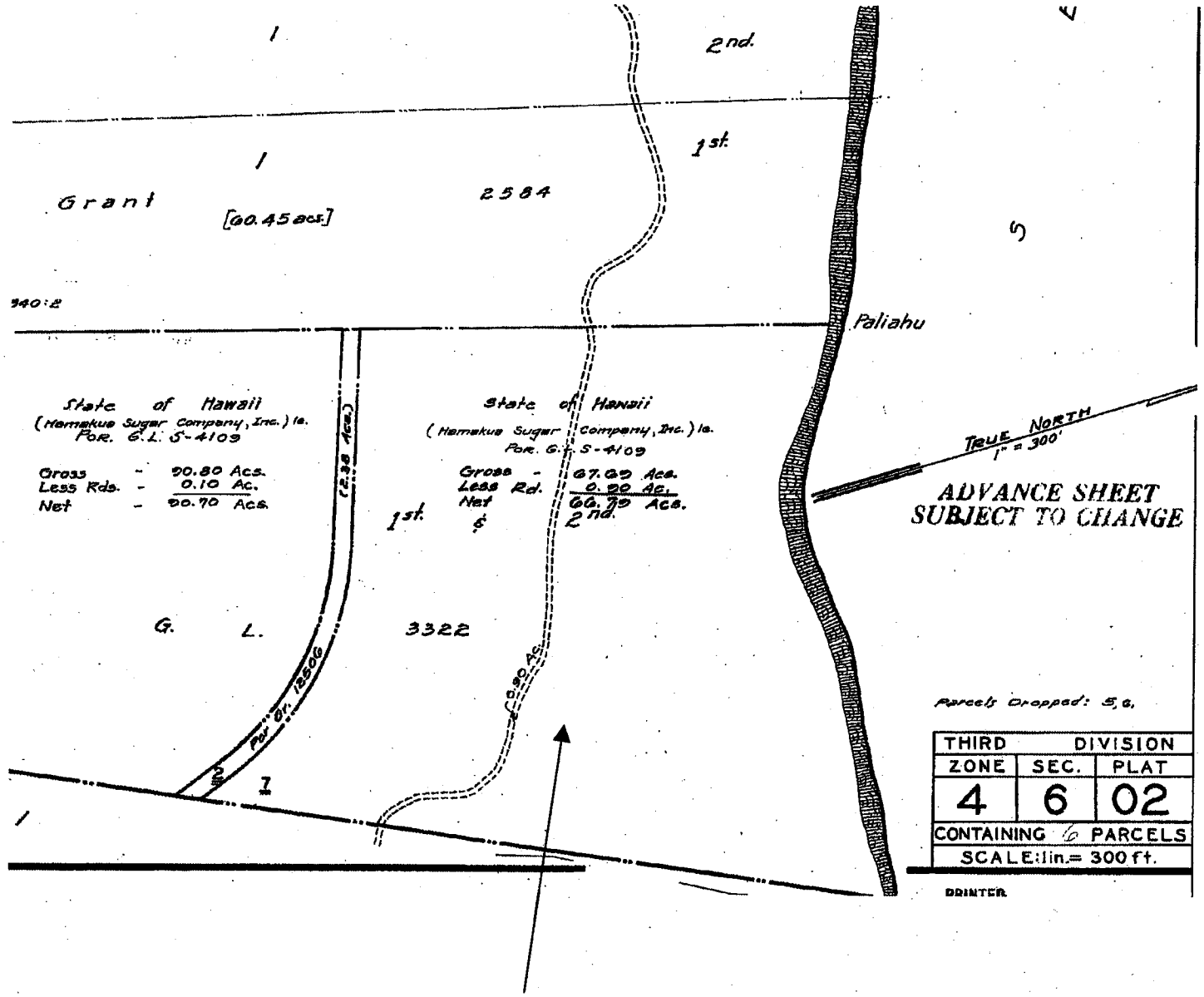
Gordon C. Heit
Land Agent

APPROVED FOR SUBMITTAL:

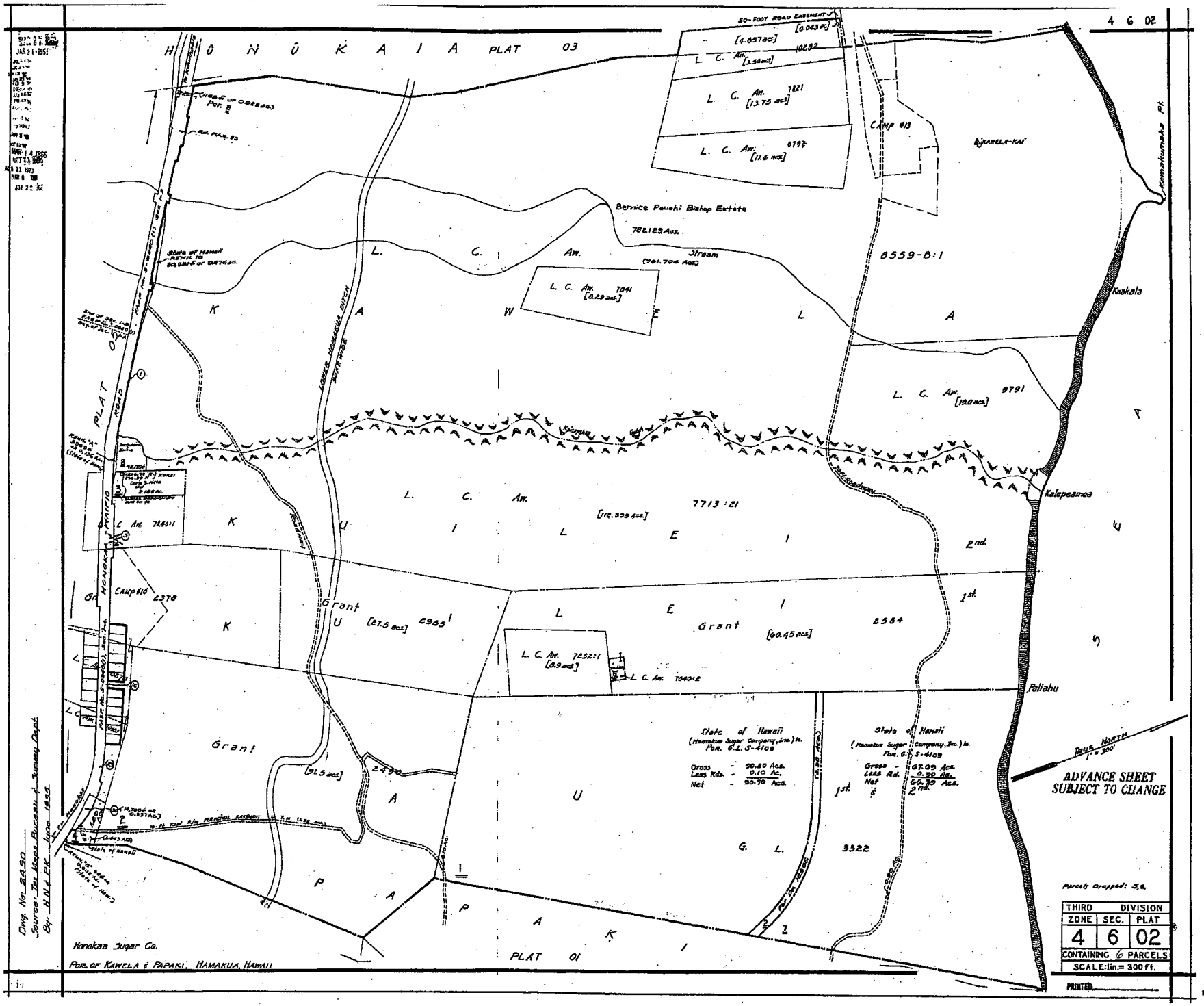
Allan A. Smith, Interim Chairperson

TMK: 3RD/4-6-02:07

EXHIBIT A



SUBJECT PARCEL


4 6 02
HONOKAIA PLAT 03
50-FOOT ROAD EASEMENT
L. C. Aw. 10282
L. C. Aw. 7821 [13.75 acs]
L. C. Aw. 9797 [11.6 acs]
CAMP #13
KAWELA-KAI
Kamakumaka Pt.
Bernice Pauahi Bishop Estate
782.129 Acs.
L. C. Aw. Stream
L. C. Aw. 7841 [8.29 acs]
8559-B:1
Kaakala
KAWELA
L. C. Aw. 9791 [19.0 acs]
Kalepeamoa
L. C. Aw. 7713:21
KUILEI
2nd.
1st.
Grant 2985 [27.5 acs]
Grant 2584 [60.45 acs]
L. C. Aw. 7252:1 [8.9 acs]
L. C. Aw. 7840:2
Paliahu
SEA
PLAT 01
HONOKAIA-HAIFIO ROAD
CAMP #10 2370
Grant
[91.5 acs]
2490
PAUPAKI
G. L. 3322
State of Hawaii
(Hamakua Sugar Company, Inc.) Ia.
Por. G.L. S-4109
Gross - 90.80 Acs.
Less Rds. - 0.10 Ac.
Net - 90.70 Acs.
State of Hawaii
(Hamakua Sugar Company, Inc.) Ia.
Por. G.L. S-4109
Gross - 67.69 Acs.
Less Rd. - 0.90 Ac.
Net - 66.79 Acs.
1st. & 2nd.
True North
1" = 300'
ADVANCE SHEET
SUBJECT TO CHANGE
Parcels Dropped: 5, 8.
THIRD DIVISION
ZONE SEC. PLAT
4 6 02
CONTAINING 6 PARCELS
SCALE: 1in. = 300 ft.
PRINTED
Dwg. No. 2450
Source: Tax Maps Bureau of Survey Dept.
By: H.N.P.K. June 1955
Honokaa Sugar Co.
Por. of Kawela & Papaki, Hamakua, Hawaii