

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

January 12, 2018

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

Land Board Members:

SUBJECT: CONTINUATION OF A REVOCABLE PERMIT TO ATLANTIS SUBMARINES HAWAII, LLC TO OPERATE SUBMARINE TOURS AND OTHER MARITIME RELATED ACTIVITIES AT THE HONOKOHAU SMALL BOAT HARBOR, ISLAND OF HAWAII, HAWAII, TAX MAP KEY: (3) 7-4-008:003 (PORTION).

APPLICANT:

Atlantis Submarine Hawaii, LLC

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Honokohau Small Boat Harbor (Honokohau SBH), Honokohau, North Kona, Island of Hawaii, Hawaii identified by Tax Map Key: (3) 7-4-008:003 (por.) as shown on the attached map labeled EXHIBIT A.

AREA:

Approximate measurement of 60' x 55' hereinafter referred to as the "Premises".

ZONING:

State Land Use District: Conservation, Urban
County of Hawaii: CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: NO

CURRENT USE STATUS:

Encumbered by Revocable Permit (RP) 36.

CHARACTER OF USE:

Occupy and use the Premises for the following specified purposes only: maritime related activities to support submarine tour operations. The Permittee may also occupy and use the Premises for any other uses permitted under applicable county zoning, subject to the prior approval of the Chairperson of the Board and the Permittee's compliance with Chapter 343, Hawaii Revised Statutes.

COMMENCEMENT DATE:

February 1, 2018

MONTHLY RENTAL:

Three Thousand and no/100 dollars (\$3,000.00) per month, payable in advance by the first of each and every month.

COLLATERAL SECURITY DEPOSIT:

Twice the Monthly Rental Amount.

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

REMARKS:

At the November 10, 2016 Land Board Meeting, the Board approved the issuance of an RP to Atlantis Submarine Hawaii, LLC in effect from February 1, 2017 to January 31, 2018.

The area consists of four small structures and a shipping container shown on EXHIBIT B. There is also a private driveway to the structures. The approximate measurement of 60' x 55' includes all the structures, shipping container, and driveway.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Authorize the continuance of Revocable Permit 36 to Atlantis Submarine Hawaii, LLC on Honokohau Small Boat Harbor covering the subject area for submarine tour operations 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; and
 - b. Review and approval by the Department of the Attorney General.
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator
Division of Boating & Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson
Board of Land and Natural Resources

Attachment:

- A. Aerial Map of Atlantis Submarine Hawaii, LLC situated at Honokohau SBH
- B. Images of Structures located on the Subject Premises

Atlantis Submarine Hawaii, LLC

Honokohau Small Boat Harbor



Kona Marine & Fuel Dock

Atlantis Submarine

Photos of the Premises

