

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

May 25, 2018

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

Land Board Members:

SUBJECT: CONTINUATION OF 29 REVOCABLE PERMITS ON THE ISLANDS OF HAWAII, KAUAI, LANAI, MAUI AND OAHU; VARIOUS LOCATIONS AND TAX MAP KEYS STATEWIDE (SEE EXHIBIT A ATTACHED)

REQUEST:

The Division of Boating and Ocean Recreation (“DOBOR”) is seeking approval from the Board of Land and Natural Resources (Board) approval for the continuation of 29 Revocable Permits (“RPs”) attached as Exhibit A, from July 1, 2018 to June 30, 2019.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended. ¹

LOCATION:

The RPs are for various locations across the State of Hawaii. See attached Exhibit A.

AREA:

The 29 RPs encumber approximately 19.06 acres of State Lands. See attached Exhibit A.

¹ HRS 171-55 provides that, “Notwithstanding any other law to the contrary, the Board of Land and Natural Resources (“BOARD”) may issue permits for the temporary occupancy of state lands or an interest therein on a month-to-month basis by direct negotiation without public auction, under condition and rent which will serve the best interests of the State, subject, however, to those restrictions as may from time to time be expressly imposed by the Board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided the Board may allow the permit to continue on a month-to-month basis for additional one year periods.”

ZONING:

The RPs are issued over lands with various types of County and SLU zoning. See attached Exhibit A.

TRUST LAND STATUS:

See attached Exhibit A.

CURRENT USE STATUS:

Encumbered by various Executive Orders to DOBOR. See attached Exhibit A.

CHARACTER OF USE:

See attached Exhibit A.

COMMENCEMENT DATE:

July 1, 2018

MONTHLY RENTAL:

See attached Exhibit A for the corresponding monthly rental rate associated with each RP.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

DCCA VERIFICATION:

See attached Exhibit A.

JUSTIFICATION FOR REVOCABLE PERMITS:

DOBOR Property Management Staff is continually working on each RP to determine which properties should be converted to long term dispositions. Staff is currently in the process of converting two RPs into long term leases: a nine-acre site located at the Honokohau Small Boat Harbor, Kealahou, Island of Hawaii, that is currently under RP No. 5 to GKM Inc. and used for the storage of vessels and employee parking. The second property is located at the Mala Wharf, Alanihi, Lahaina, Maui, that is currently under RP No. 47 to A&K Ventures LLC, for the purposes of landscaping, maintenance, storage of small boats and trailers.

Staff recommends that until such time that the properties are ready for long term disposition, the issuance of revocable permits is appropriate to holdover tenants. DOBOR is not aware of, or in the process of resolving outstanding compliance issues, or pending litigation with any of the 29 RPs.

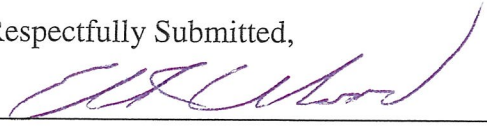
In keeping with the DLNR's Revocable Permit Task Force's recommendation to promote the concepts of openness, fairness and competition, DOBOR has since put pertinent associated information for all its RPs online for public review. Contact information and online application forms are also available to the public.

RECOMMENDATION:

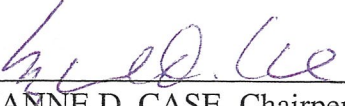
That the Board of Land and Natural Resources:

1. Authorize the approval to renew the 29 RPs listed in Exhibit A on a month-to-month basis for a one-year period, from July 1, 2018 to June 30, 2019 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. DOBOR Inventory Spreadsheet for 29 RPs

DIVISION OF BOATING AND OCEAN RECREATION											
Continuation of Revocable Permits on the Islands of Oahu, Maui, Lanai, Hawaii, and Kauai											
RP No.	Permittee Name	Harbor Location	TMK	Total Area Sq. Ft.	Zoning	SLU	Trust Land Status	Monthly Rent	Character Use	Cert. of Ins Exp. Date	DCCA
1	Cates Marine Services, LLC	Keehi	(1) 1-2-025:043	6,300	I-3	Urban	5(b)	\$2,625.00	Staging area, docking of vessel (used for transport to and from open ocean fish farm) and storage of feed in conjunction with fish farming activity located off Ewa Beach.	7/7/18	Yes
2	DLNR Aquatic Resources	Honokohau	(3) 7-4-008:003 (por)	7,500	Open	Conservation, Urban	5(b)	Gratis	Temp. office trailers, parking, perimeter security fence.	N/A	N/A
3	Dolphin Excursions Hawaii, Inc.	Waianae	(1) 8-5-002:051	6,655	P-2	Urban	5(b)	\$846.67	Sale of ice, sundry items, non-alcoholic beverages, food, incidental marine related items, and cold storage.	2/28/19	Yes
4	Dolphin Excursions Hawaii, Inc.	Waianae	(1) 8-5-002:044 (por.)	39,640	P-1, P-2	Urban	5(b)	\$3,933.33	To operate a trailer boat yard storage.	2/28/19	Yes
5	GKM, Inc.	Honokohau	(3) 7-4-008:003 (por)	392,040	Open	Conservation, Urban	5(b)	\$7,311.45	Operation of a boat/trailer storage facility and employee parking. Transitioning property to a long-term lease through Public Auction.	11/15/18	Yes
6	Hawaii Big Game Fishing Club, Inc.	Honokohau	(3) 7-4-008:003 (por)	9,975	Open	Urban	5(b)	\$1,080.00	Occupy and use a portion of open unpaved land in support of fishing and boating activities, public meetings, tournaments, harbor meetings and continued support of youth groups.	1/9/2018, Pending Receipt of Current Insurance	Yes
7	Hawaii Island Paddle Sports Association	Honokohau	(3) 7-4-008:003 (por)	6,000	Open	Urban	5(b)	\$673.33	Operate and maintain a Hawaiian Style Halau for Permittee's meetings, storage of solo or duo canoes, kayaks, general equipment and staging area for race events.	1/2/2018, Pending receipt of current Insurance	Yes
8	Hawaii Petroleum, Inc.	Keauhou, Kailua-Kona, and Kawaihae	(3) 7-8-012:055 (por.), (3) 7-5-006:039 (por.), (3) 6-1-003:023 (por.)	-	MG-1a, V-.75, Open	Urban	5(b)	\$101.40	Dispense fuel via tank truck(s).	3/1/19	Yes
10	Hawaiian Parasail, Inc.	Ala Wai	(1) 2-3-037:012 (por)	36	P-2	Urban	5(a) 5(b)	\$264.26	A thirty-six (36) sq. ft. patio to support the Permittee's commercial parasail operations.	12/29/18	Yes
11	Honolulu Transpac, Ltd.	Ala Wai	(1) 2-3-037:026 (por)	699	P-2	Urban	5(b)	\$775.00	To maintain a headquarter to coordinate the biennial Transpacific Yacht Race and Royal Hawaiian Ocean Racing Series which occur in alternate years.	3/12/19	Yes

13	Kaneohe Cultural Foundation	Heeia	(1) 4-6-006:072 and 069 (por.)	2,600	P-2	Urban	5(b)	GRATIS	Use of the existing structures/improvements, which include two structures for canoe storage and equipment storage purposes comprising approx. 2,600 sq. ft., more or less.	12/1/18	Yes
14	Keahole Point Fish, LLC	Honokohau	(3) 7-4-008:003 (por)	2,000	Open	Urban	5(b)	\$2,046.67	Provide an area for land-based operations in support of an ocean-based aquaculture project.	2/10/19	Yes
15	The Kona Sailing Club	Honokohau	(3) 7-4-008:003 (por)	14,196	Urban	Urban	5(b)	\$1,493.33	Trailered boat storage, sailing related equipment, storage, and boating and ocean safety education/training.	3/2/19	Yes
16	Lahaina Yacht Club	Lahaina	(2) 4-5-005:003 (por)	785	Urban	Urban	5(b)	\$153.33	Sailing program storage	3/1/18	Yes
17	Maalaea Boat & Fishing Club	Maalaea	(2) 3-6-001:034 (por)	4,731	Urban	Urban	5(b)	\$866.67	Operation of a boat and fishing club and management of boat haul-out for self repair dry dock services for the Permittee and public	11/17/18	Yes
18	Maalaea Charters, Inc	Maalaea	(2) 3-6-001:002 (por)	144	Conservation, Urban	Conservation, Urban	5(b)	\$264.25	Occupy and use space for operation of a commercial charter vessel office for vessel activity sales, and the sales of various outdoor activities	7/29/18	Yes
19	Maui Oil Company, Inc	Maalaea	(2) 3-6-001:002 (por)	-	Conservation, Urban	Conservation, Urban	5(b)	\$105.70	Dispense fuel via tank truck	6/1/18	Yes
20	Maui Petroleum, Inc	Maalaea	(2) 3-6-001:002 (por)	-	Conservation, Urban	Conservation, Urban	5(b)	\$101.40	Dispense fuel via tank truck	3/1/19	Yes
22	Na Kalai Wa'a	South Kawaihae	(3) 6-1-003:(por)	22,216	MG-1a/Open	Urban	5(b)	\$40.00	Vessel storage, general storage, maintenance of improvements, youth programs, educational programs, and affiliated community programs.	8/12/18	Yes
25	Outfitters Kauai, Ltd.	Nawiliwili	(4) 3-2-003:007 (por)	3,049	I-G	Urban	5(b)	\$931.72	Portable storage/office structure, parking, staging of kayaks and approved vessels, and access to Huleia River.	8/3/18	Yes
26	Pacific Biodiesel Logistics, LLC	Maalaea	(2) 3-6-001:002 (por)	-	B-2, BR, M-1, OZ, P, P-1, PK, R-2	Conservation, Urban	5(b)	\$101.40	Deliver and dispense fuel via tank truck	4/1/19	Yes
28	Surf N' Sea, Inc.	Haleiwa	(1) 6-2-003:039 (por)	5,227	R-5	Urban	5(b)	\$14,200.00	Hardware and sporting goods store.	6/30/18	Yes
29	Island of Hawaii YMCA	South Kawaihae	(3) 6-1-003:(por)	6,098	MG-1a/Open	Urban	5(b)	\$40.00	Sailing programs, storage purposes, marine education and youth programs	11/16/18	Yes
30	Trilogy Corporation	Manele	(2) 4-9-017:006 (por)	6,100	PD	Conservation, Urban	5(b)	\$330.87	Landscaping and open public space for Trilogy's pavilion.	4/1/19	Yes
31	True Blue, Inc	Nawiliwili	(4) 3-2-003:007 (por)	1,742	I-G	Urban	5(b)	\$554.64	Portable storage/office structure, parking, staging of kayaks and approved vessels, and access to Huleia River.	5/1/18	Yes
32	US Dept. of Interior	Honokohau	(3) 7-4-008:003 (por)	301,827	Open	Urban	5(b)	GRATIS	Management of the existing archaeological features and anchialine ponds	N/A	N/A

34	Diamond Parking Lahaina	Lahaina	(2) 4-6-001:002 (por)	18,000	Urban	Urban	5(b)	\$1,700.00	Parking Concession	7/15/18	Yes
35	Horizons Pacific, Inc.	Kailua-Kona	(3) 7-5-006:039 (por)	63	Open	Urban	5(b)	\$3,000.00	Maritime related activities, including concierge service, providing general island information, maps, restaurant guides, charter and tour info, cruise ship itineraries, trolley/bus affordable beach rental	11/7/2017, Pending receipt of current insurance	Yes
50	Nawiliwili Yacht Club	Nawiliwili	(4) 3-2-003:043 (por)	8698	I-G	Urban	5(b)	\$1,107.00	Sailing purposes. Holdover RP until Kauai Sailing Association Lease finalized.	1/30/19	Yes