

DAVID Y. IGE
GOVERNOR



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

JADE T. BUTAY
DIRECTOR

Deputy Directors
LYNN A.S. ARAKI-REGAN
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IN REPLY REFER TO:

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

KAUAI

ISSUANCE OF MONTH-TO-MONTH PERMIT TO NA PALI SEA TOURS, INC.,
SITUATED IN THE WAREHOUSE SHED AT PORT ALLEN HARBOR, KAUAI,
TAX MAP KEY NO. (4) 2-1-003:006 (P), GOVERNOR'S EXECUTIVE ORDER
NO. 1047

LEGAL REFERENCE:

Sections 171-6, 171-13, 171-17, 171-55, and 171-59, Hawaii Revised Statutes (HRS), as amended.

APPLICANT:

Na Pali Sea Tours, Inc. (Applicant) is a domestic profit corporation whose business registration and mailing address is P.O. Box 51004, Eleele, Hawaii 96705.

CHARACTER OF USE:

Storage of dry goods, tools, parts, supplies and equipment, for repairs and maintenance, for tour boat operations.

LOCATION:

Portion of governmental lands, inside the Warehouse Shed, Port Allen Harbor, Kauai, Tax Map Key No. (4) 2-1-003:006 (P), Governor's Executive Order No. 1047, as shown on the attached map labeled Exhibit A.

ITEM M-15

AREA: See attached Exhibits A and B

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Storage of dry goods, tools, parts, supplies and equipment, for repairs and maintenance, for tour boat operations.	Warehouse Shed	1,160	\$ 1.00	\$ 1,160.00	\$ 2,320.00

\$ 1,160.00	\$ 2,320.00
Total Monthly Rental	Total Security Deposit

CONSIDERATION:

Determined by appraisal as of March 20, 2019, for Revocable Permits in Port Allen Harbor, Kauai.

ZONING:

State Land Use Commission: Urban
County of Kauai: General Industrial

COMMENCEMENT DATE:

To be determined by the Director of Transportation.

TRUST LAND STATUS:

Subsection 5(a) of the Hawaii Admission Act (Non-ceded Lands).

CURRENT USE STATUS:

The Applicant currently has an existing month-to-month permit that occupies a portion of the Warehouse Shed, Port Allen Harbor, Kauai, for storage of dry goods, tools, parts, supplies and equipment, for repairs and maintenance, for tour boat operations. The Department of Transportation, Harbors Division (DOT Harbors) has been reviewing all month-to-month permits to ensure compliance with and applicability to Sections 171-17 and 171-55, HRS. The DOT Harbors is updating the Applicant's permit with current appraised rates and updated permit terms (as applicable).

LAND TITLE STATUS:

Governor's Executive Order No. 1047 for Port Allen Harbor, to be under the control and management of the Department of Transportation, Harbors Division (DOT Harbors).

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This use is exempt from the Office of Environmental Quality Control (OEQC) requirements pursuant to Chapter 11-200.1, Hawaii Administrative Rules, "Exemption Class 1: Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

Declaration of Exemption was published with the OEQC in *The Environmental Notice* on September 23, 2019.

REMARKS:

Currently, the Applicant has an existing month-to-month permit for storage of dry goods, tools, parts, supplies and equipment, in the Warehouse Shed, Port Allen Harbor, Kauai. The DOT Harbors has been reviewing all month-to-month permits to ensure compliance with and applicability to Sections 171-17 and 171-55, HRS.

The existing month-to-month permit was issued on May 1, 2013, and rent is currently \$1,090.40 per month. This Submittal will update and renew the month-to-month permit which is compliant with Chapter 171, HRS.

RECOMMENDATION:

That the Board authorize the DOT Harbors to issue the Applicant a month-to-month revocable permit for the above-stated purpose, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



JADE T. BUTAY
Director of Transportation

APPROVED FOR SUBMITTAL:



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

Attachments: Exhibits A and B

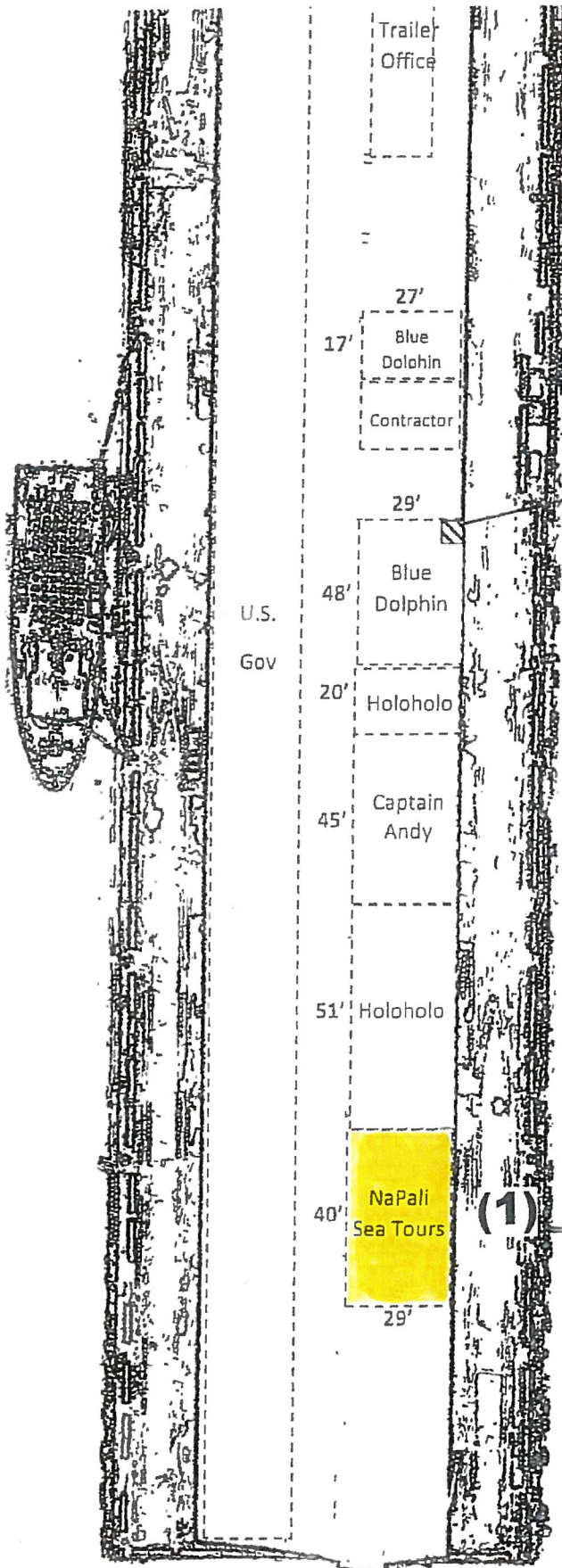
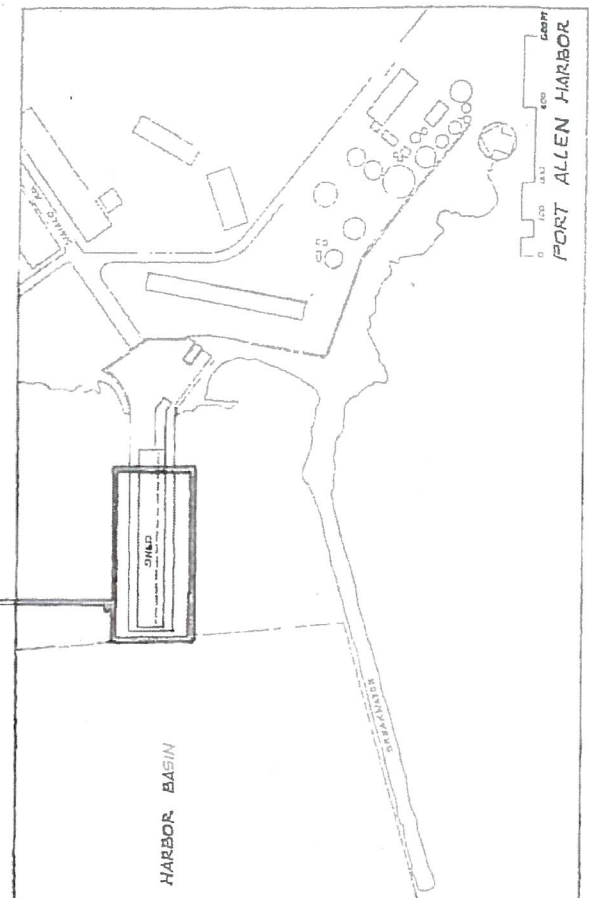


Exhibit A

Port Allen Harbor, Kauai
Warehouse Shed

Minus 4'x4'
Fire Suppression

Na Pali Sea Tours, Inc.



AREA	DESCRIPTION	TYPE	DIMENSIONS		SQ. FT.
1	Storage of dry goods, tools, parts, supplies and equipment.	Warehouse Shed	29'	40'	1,160

