

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

December 13, 2019

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

Land Board Members:

SUBJECT: ISSUANCE OF A REVOCABLE PERMIT TO PAUL N. FUKUNAGA  
DBA P.F. MARINE, FOR FIBERGLASS BOAT REPAIR PURPOSES,  
SITUATED AT KE'EHĪ SMALL BOAT HARBOR, HONOLULU,  
ISLAND OF OAHU, HAWAII, IDENTIFIED BY TAX MAP KEY:  
(1) 1-2-023:059

AND

DECLARE PROJECT EXEMPT FROM REQUIREMENTS OF  
CHAPTER 343, HRS AND TITLE 11, CHAPTER 200.1, HAWAII  
ADMINISTRATIVE RULES.

APPLICANT:

Paul N. Fukunaga dba P.F. Marine ("Fukunaga"), a Sole Proprietor, whose mailing address is,  
1391 Haloa Drive, Honolulu, HI 96818 in the care of, Paul Fukunaga, hereinafter referred to as  
the "Applicant".

LEGAL REFERENCE:

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

LOCATION:

Portion of Government fast land at Ke'ehi Small Boat Harbor ("KSBH"), situated in Ke'ehi  
Industrial Park, Honolulu, Island of Oahu, Hawaii, identified by Tax Map Key: (1) 1-2-023:059,  
as shown on the attached map labeled **Exhibits A-1 thru A-3**.

AREA:

Approximate area of 10,000 square feet, which area is hereinafter referred to as the "Premises". The area is located in Ke'ehi Industrial Park Association (KIPA) area on TMK (1) 1-2-023:059 as depicted in **Exhibit A-3**.

ZONING:

State Land Use District: Urban  
County of Honolulu CZO: I-2 Intensive Industrial District

TRUST LAND STATUS:

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

CURRENT USE STATUS:

The premises are presently encumbered by DOT Harbor RP H-02-2339.

CHARACTER OF USE:

Fiberglass boat repair.

COMMENCEMENT DATE:

January 1, 2020

MONTHLY RENTAL:

\$2,333.00 per month

The monthly rental is based on an in-house valuation using an appraisal report prepared by Alan Conboy (of Hastings, Conboy and Associates, Ltd.) for the rental reopening of La Mariana Sailing Club, Inc. for the adjacent parcel (1) 1-2-023:052. The appraisal reports valuation is effective as of May 1, 2019, which staff believes gives a reliable basis to make a rent recommendation.

The value of fast land was discounted by 50%. The basis for applying a 50% discount for property in KIPA was practiced by DOT-HAR due to the absence of utilities. The appraised value of La Mariana Sailing Club, Inc fast lands is \$5.60 per square foot per year. Therefore, the calculated value is as follows:  $\$5.60/\text{Sq. Ft.}/\text{Yr.} \div 12 \text{ months} \times 50\% \times 10,000 \text{ Sq. Ft.} = \$2,333.33$  or \$2,333.00 rounded.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

DCCA VERIFICATION:

DCCA verification not necessary for an individual.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the “Exemption List for the, Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an Environmental Assessment pursuant to Exemption Class No. 1, Item No. 51. Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

Staff consultation with the Oahu District Land Office, regarding HRS Chapter 343 exemption. In accordance with the Department’s comprehensive exemption list, they concur that the proposed use is exempt from the preparation of an environmental assessment and will probably have minimal or no significant effect on the environment and should be considered exempt from the preparation of an environmental assessment.

JUSTIFICATION FOR REVOCABLE PERMIT:

The premises do not currently have access to a public road. Staff is working to obtain an access easement from the Department of Transportation, Harbors Division (DOT Harbors). Staff believes that a revocable permit is the proper disposition in this instance.

BACKGROUND:

At its meeting on December 14, 2018, under agenda item D-6, the Board approved the withdrawal of the premises from Executive Order No.3708 issued DOT Harbors and the re-setting aside to DOBOR. DOT Harbors recently informed staff that it would be cancelling the applicant’s revocable permit at the end of the calendar year.

REMARKS:

The applicant is currently a permittee in good standing with DOT Harbors since July 1, 2002. DOT Harbors has indicated that they plan on terminating RP H-02-2339 as of December 31, 2019. Therefore, the applicant has requested an RP from DOBOR so that they can continue operating their business at this location after their DOT Harbors RP has been terminated.

The proposed 10,000 Sq. Ft. area, TMK (1) 1-2-023:059, was withdrawn from E.O. 3708, issued to the Department of Transportation (DOT) Harbors Division and Reset-Aside to DLNR DOBOR by Board Action December 14, 2018, under agenda item D-6.

The proposed use is allowable in the county zoning and compatible with surrounding existing use.

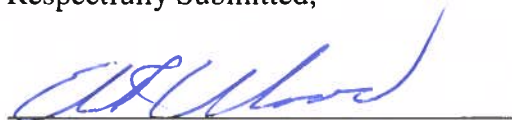
The Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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 issuance of a Revocable Permit to Fukunaga covering the subject area 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. Review and approval by the Department of the Attorney General; and
  - 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

Attachments:

- Exhibit A-1 Ke'ehi Small Boat Harbor Location on Oahu
- Exhibit A-2 PF Proposed Location TMK (1) 1-2-023:059
- Exhibit A-3 PF Proposed RP Area



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

Division of Boating and Ocean Recreation  
4 Sand Island Access Road  
Honolulu, Hawaii 96819

December 13, 2019

**EXEMPTION NOTICE**

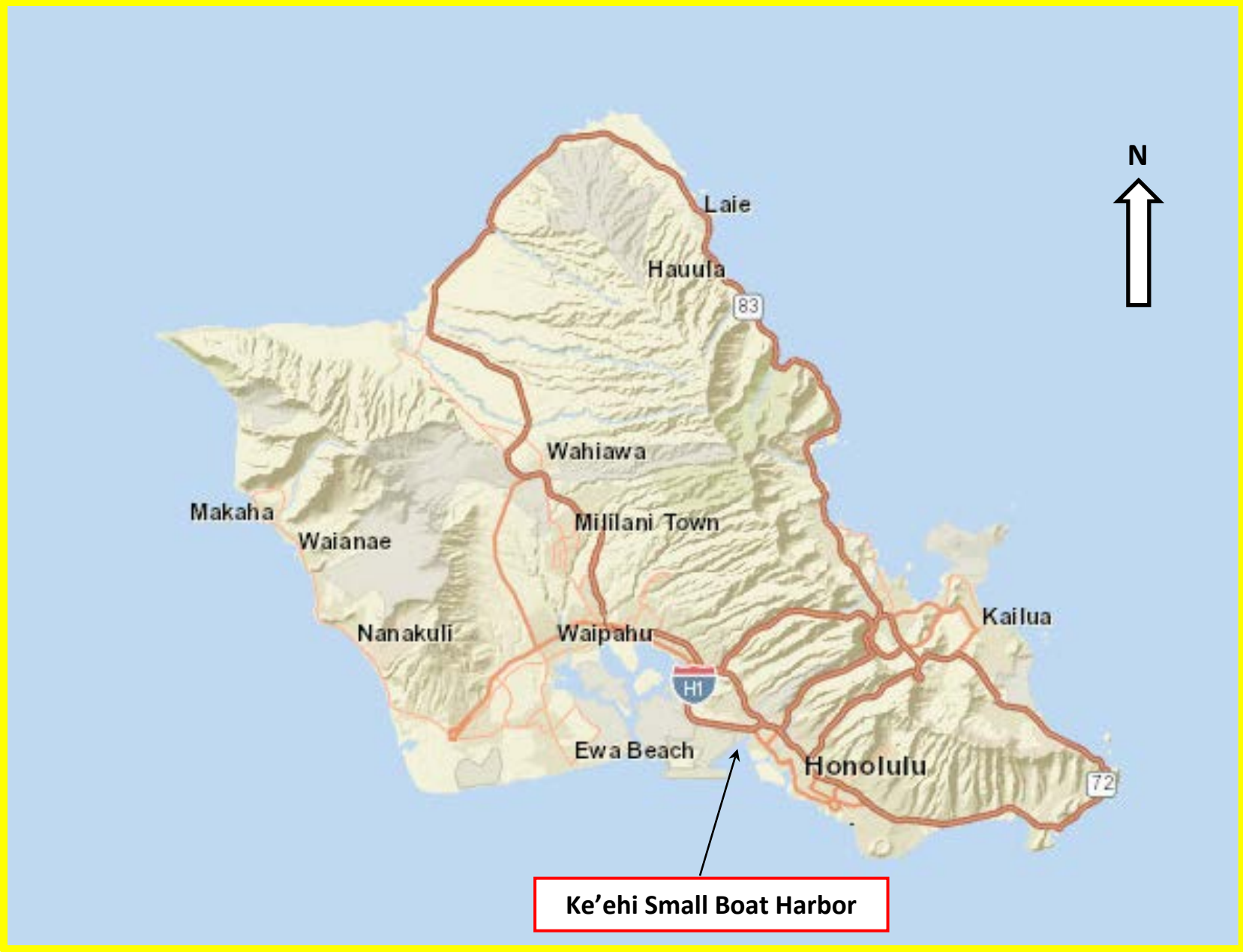
TO: DLNR Public Files for HRS Chapter 343 Exemptions  
FROM: BLNR via Chairperson for the Division of Boating & Ocean Recreation (DOBOR)  
RE: Preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Issuance of a Revocable Permit (RP) to Paul N. Fukunaga dba P.F. Marine for 10,000 sq. ft. of fast land in KIPA
Project / Reference No.:	TBD
Project Location:	TMK: (1) 1-2-023:059, Ke'ehi Small Boat Harbor, Island of Oahu, Hawaii
Project Description:	10,000 sq. ft. of fast land for fiberglass boat repair.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s):	Exemption Class No. 1, Item No. 51 that states: "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, the permittee has used the area for fiberglass boat repair since 2002 with no cumulative impact to the area. In addition, former DOT Harbors Division Permittee's that abutted this parcel also engaged in marine service, maintenance, repair and fabrication for many years. Therefore, staff believes the use of the proposed lands for this revocable permit will have no significant effect on the environment.
Action May have Significant Impact on Particularly Sensitive Environment?	No, the area has been used for this activity since 2002. Therefore, staff does not believe the issuance of an RP for the proposed activities for this area will have a significant impact on the respective environment.
Analysis:	The applicant has been a responsible permittee on a neighboring parcel since July 1, 2002. The requests would involve no expansion or change in use of the subject locations beyond that previously existing. DOBOR would also like to ensure there is a presence on this site in order to deter any unwanted activity that usually occurs on vacant lands. DOT Harbors currently has such activity present in adjacent KIPA areas.
Consulted Parties:	The Oahu District Land Office was consulted and they concur that the proposed use is exempt from the preparation of an environmental assessment and will probably have minimal or no

	significant effect on the environment and should be considered exempt from the preparation of an environmental assessment.
Declaration	The Board finds that these projects will probably have minimal or no significant effect on the environment and declares that this project is exempt from the preparation of an environmental assessment.

**Exhibit A-1**

Paul N. Fukunaga aka P.F. Marine at Ke'ehi Small Boat Harbor



**Exhibit A-1**



**Ke'ehi Small Boat Harbor**

**Exhibit A-2**

**Paul N. Fukunaga aka P.F. Marine  
Proposed RP Location  
TMK (1) 1-2-023:059**

N



**Exhibit A-2**

0 200 400ft

Resource





**Paul N. Fukunaga aka P.F. Marine  
Proposed Area  
10,000 Square Feet**

