



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

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

**KAUAI**

ISSUANCE OF A MONTH-TO-MONTH PERMIT TO NA KALA WA’A O KAUA’I FOR TEMPORARY DRYDOCK AND MAINTENANCE OF VOYAGING CANOE, NAMAHOE, SITUATED ADJACENT TO PIER 2, NAWILIWILI HARBOR, KAUI, TAX MAP KEY NO. (4) 3-2-004:021 (P), GOVERNOR’S EXECUTIVE ORDER NO. 509

**LEGAL REFERENCE:**

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

**APPLICANT:**

Na Kalai Wa’a O Kaua’i (Applicant) is a domestic nonprofit corporation whose business registration and mailing address is 2875 Wa’a Road, Lihue, Hawaii 96766.

**CHARACTER OF USE:**

To temporarily drydock and maintain, modify, and repair the voyaging canoe Namahoe.

**LOCATION:**

Portion of governmental lands at Pier 2, Nawiliwili Harbor, Hawaii, Tax Map Key No. (4) 3-2-004:021 (P), Governor’s Executive Order No. 509, as shown on the attached map labeled Exhibit A.

**AREA: See attached Exhibits A and B**

AREA	DESCRIPTION	TYPE	SQ. FT.	RATE PER SQ. FT.	MONTHLY RENTAL CHARGE	SECURITY DEPOSIT
1	Drydock and Modification Area	Paved	5,040	\$ 0.00	Gratis	N/A

**CONSIDERATION:**

Gratis

**ZONING:**

State Land Use Commission:	Urban
County of Kauai:	Unknown

**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 land is currently vacant.

**LAND TITLE STATUS:**

Acquired by the Department of Transportation, Harbors Division (DOT Harbors), through eminent domain proceedings by issuance of Governor's Executive Order No. 509.

**CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:**

This action is exempt from Office of Environmental Quality Control (OEQC) requirements pursuant to Sub-Chapter 11-200.1, Hawaii Administrative Rules, that exempts the following:

“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.”

The DOT Harbors will submit its publication request of this Exemption Notice to the OEQC for publication on the 8<sup>th</sup> of each month.

**REMARKS:**

The Applicant is a non-profit organization dedicated to the perpetuation, practice, and exploration of the seafaring arts and skills of the ancient Polynesians. Its mission is to provide the island of Kauai with the opportunity to recreate a traditional Polynesian voyaging canoe, to enrich both educational and cultural programs for the community of Kauai. In 1996, the Applicant began the construction of Namahoe, Kauai's voyaging canoe which launched in 2016.

The vessel requires refurbishments and improvements such as sanding, refinishing, repainting, and other fabrication. In order to do so, the Applicant intends move the Namahoe temporarily out of the water from dockside to the drydock and modification area for on land general maintenance and repair of the voyaging canoe.

**RECOMMENDATION:**

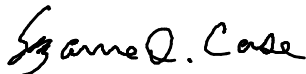
That the Board authorize the DOT Harbors to issue the Applicant a month-to-month revocable permit for the above-stated purposes, subject to the terms and conditions outlined above and incorporated herein by reference, and such terms and conditions as may be prescribed by the Director of Transportation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

Attachment: Exhibits A



5,040 sq. ft. of (56' x 90')  
land for drydock and  
modification project site.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: OCT 18 2000

Employer Identification Number:  
99-0330223

DLN:

17053267723010

Contact Person:

HIRAM LEE HARVILLE

ID# 31257

Contact Telephone Number:

(877) 829-5500

Our Letter Dated:

December 1997

Addendum Applies:

No

NA KALAI WA A O KAUA I  
3920 HUNAKAI ST  
LIHUE, HI 96766

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

You are required to make your annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You are also required to make available for public inspection your exemption application, any supporting documents, and your exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Letter 1050 (DO/CG)

NA KALAI WA A O KAUA I

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

~~Steven T. Miller~~

Steven T. Miller  
Director, Exempt Organizations