

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96813

June 26, 2020

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

Land Board Members:

SUBJECT: CONTINUATION OF REVOCABLE PERMIT NO. S-5407 TO
Kaneohe Yacht Club., for recreational boat pier
purposes, located in Kaneohe Bay, Kaneohe,
Koolau Poko, Oahu, Tax Map Key: (1) 4-4-022:032-A
(seaward of parcel)

AND

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

REQUEST:

Continuation of Revocable Permit S-5407 from July 1, 2020, through June 30, 2021.

LEGAL REFERENCE:

HRS §171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Kaneohe Bay, Kaneohe, Island of Oahu, Seaward of Tax Map Key: (1) 4-4-022:032, hereinafter referred to as the "Premises" as shown on the maps labeled **Exhibits A-1, A-2 and A-3** and attached hereto.

AREA:

Approximately 6.5 Acres or 283,140 square feet, more or less, of submerged lands as depicted on **Exhibit A-3**.

ZONING:

State Land Use District: Urban

County of Honolulu CZO: Conservation

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) No. S-5407, to Kaneohe Yacht Club (KYC).

CHARACTER OF USE:

Occupy and use the Premises for the following specified purposes only: For recreational boat pier purposes. Live aboard on vessels shall not be permitted.

COMMENCEMENT DATE:

The RP will continue from July 1, 2020, and end on June 30, 2021.

MONTHLY RENTAL:

The greater of one thousand and no/100 dollars (\$1,000.00) per month, or ten percent (10%) of gross receipts. The minimum monthly rent shall be payable in advance by the first of each and every month. Gross receipt reports and any associated increased payments shall be due and payable by the first of the following month.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

HRS 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 March 3, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to Exemption Class No. 1, Item No. 44. Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.

Staff has consulted with the Land Division (LD).

Kaneohe Yacht Club

Page. 3

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO
Registered business name confirmed:	YES	<u>X</u>	NO
Applicant in good standing confirmed:	YES	<u>X</u>	NO

JUSTIFICATION FOR REVOCABLE PERMIT:

The submerged lands underlying the revocable permit were Set-Aside to DOBOR and the RP was transferred from Land Division to DOBOR by the Board action dated July 26, 2019, under agenda item D-6. Staff is exploring various options for a long-term disposition with KYC, a 501(c)(7) organization. In the interim, a month-to-month RP is the appropriate disposition. KYC has been a DLNR permittee since August 1, 1977.

REMARKS:

At its January 11, 2019, meeting, under agenda item D-7, the Board approved the change in the monthly rental, effective March 1, 2019, to \$1,000/mo. or 10% of gross revenues, whichever is greater. The Board recommended that Land Division transfer managerial responsibility of the subject facility to DOBOR. The submerged land was Set-Aside and the RP was transferred to DOBOR by the Board at their July 26, 2019, meeting under agenda Item D-6.

At its December 13, 2019, meeting, under agenda item J-4, the Board approved the Continuation of RP S-5407 from January 1, 2020, and end on June 30, 2020.

The continuation of this RP will give staff time to pursue a long-term disposition.

KYC has not had a lease, 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 continuation of RP S-5407 issued to KYC, under the terms and conditions cited above, which are by this reference, incorporated herein.
3. Reserve and delegate to the Chairperson the right and authority at any time to review and adjust the rental charges for KYC.

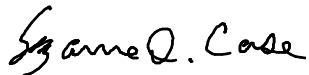
Respectfully Submitted,

FOR



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

APPROVED FOR SUBMITTAL:



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

Attachment:

A-1 Location of Kaneohe Bay on Island of Oahu Map

A-2 Aerial Map of Kaneohe Bay

A-3 Aerial Map of KYC's location in Kaneohe Bay

Kaneohe Yacht Club Island of Oahu

Exhibit A-1



Exhibit A-2

Kaneohe Bay

Kaneohe Yacht Club



Exhibit A-2

Kaneohe Bay

Kaneohe Yacht Club
RP S-5407
(Approximately 6.5 Acres
or 283,140 sq. ft.)

Ruler

Line Path Polygon Circle 3D path 3D polygon

Measure the distance or area of a geometric shape on the ground

Perimeter: 2,573.37 Feet

Area: 283,140.60 Square Feet

Mouse Navigation Save Clear

