

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

January 12, 2022

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

Oahu

Approval to Issue Three (3) Direct Leases to Non-Profit Entities between the Department of Human Service, Office of Youth Services and (1) Residential Youth Service and Empowerment, Inc., (2) Kinai 'Eha, and (3) Hale Kipa, for use of portions of the Kawaihoa Youth and Family Wellness Center, Kailua, Koolaupoko, Oahu TMK (1) 4-2-006: portion of 002.

Legal Reference:

Sections 171-11 and 171-43.1, Hawaii Revised Statutes ("HRS").

Applicant Lessees:

Residential Youth Services & Empowerment ("RYSE");
Kinai 'Eha ("KE"); and
Hale Kipa, Inc. ("HK").

All domestic non-profit corporations.

Location and Area:

Name	Location (Exhibit A1 & A2)	Program
RYSE	Panabode Cottage #6 Portion of building #7	Residential Homeless Youth Shelter for Young Adults 18-24 years of age. Emergency shelter for minors in response to COVID-19 Pandemic
KE	Gymnasium #8 Portion of Building #9	Vocational Educational and after school Program for at community risk youth. To include residential programing.
HKI	Observation and Assessment Cottage (Hookipa Mauka) #7	Commercially Sexually Exploited Children Residential Assessment Center.

ITEM M-8

Zoning:

State Land Use District: Agricultural
City and County of Honolulu LUO: P-1

Trust Land Status:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

Current Use Status:

Land presently encumbered by Governors Executive Order 172 dated December 13, 1924, setting aside the land to the Department of Human Services (“DHS”), Office of the Youth Services (“OYS”), formerly known as the Board of Industrial Schools for Girls Industrial School. See map of the *Hawaii Youth Correctional Facility/Kawailoa Youth and Family Wellness Center* facilities in Exhibits A1 and A2.

Term:

This request is seeking leases for a time period up to twenty-five (25) years that would allow stability for the non-profits to actively pursue programmatic and capital improvement resources to assure sustainability of on-campus programming.

Commencement Date:

To be determined by the Director of Human Services

Rent:

To be determined by the Director of Human Services.

Chapter 343, HRS – Environmental Assessment

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1, Part 1, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing,” Item 40, which states the “Leases of state land involving negligible or no expansion or change of use beyond that previously existing”. See exemption notification attached as Exhibit B.

Place of Business Registration Confirmed: Yes
Registered business name confirmed: Yes
Applicant in good standing confirmed: Yes

Name	FIN#	Principle Address
RYSE	81-2102826	P.O: Box 11662 Honolulu, Hawaii 96828
KE	82-1366272	42-470 Kalaniana'ole Hwy Bldg #8 Kailua Hawaii 96734
HKI	23-7061499	615 Piikoi Street #203 Honolulu, HI 96816

REMARKS:

Governor's Executive Order No. ("EO") 172 was issued in 1924 to the Board of Industrial Schools for Girls Industrial School purposes. In 1937, EO 784 covering the spring reserve and the associated pipeline easement was issued to the same agency, which served as the water supply to the facility under EO 172. Currently, OYS under the Department of Human Services is the agency, pursuant to Chapter 352, HRS, responsible for the administration of the facility.

The Juvenile Justice System in Hawai'i, under jurisdiction of the family court, is moving from an outdated punitive approach towards a variety of evidence-based intervention systems, including trauma-informed care, family engagement, gender-responsive and culturally competent services. This follows a nationwide juvenile justice reform that is finally recognizing the high failure rates of incarceration without proper treatment.

In 2018, the State Legislature passed Act 208 creating the Kawai'oa Youth and Family Wellness Center, which was codified into chapter 352D, HRS. Section 352D-7.5(a), HRS, provides in part, "the office of youth services may create and develop a central youth service center known as the Kawai'oa youth and family wellness center at the site of the Hawaii youth correctional facilities."

In addition, section 352D-7.5(d), HRS, describes "The Kawai'oa youth and family wellness center services and programs may include but shall not be limited to mental health services and programs, substance abuse treatment programs, crisis shelters for homeless youth, crisis shelters for victims of human and sex trafficking, vocational training, group homes, day treatment programs, aftercare, independent and family counseling services, educational services, and other services and programs that may be required to meet the needs of youth or young adults."

OYS is requesting consent from the Board to issue direct leases to the three (3) service providers named in the submittal, of which each of them focuses on a specific clientele.

OYS is requesting consent from the Board to issue direct leases to the three (3) service providers named in the submittal, of which each of them focuses on a specific clientele. This request is seeking leases for a time period up to twenty-five (25) years that would allow stability for the non-profits to actively pursue programmatic and capital improvement resources to assure sustainability of on-campus programming.

A brief description of the services for each of the non-profit entities is provided below.

Residential Youth Services and Empowerment

Residential Youth Services and Empowerment (RYSE) currently manages a drop in residential homeless shelter upon the Kawaiiloa Youth and Family Wellness Center in Kailua, where disenfranchised youth will be able to sleep safely at night under professional supervision. In addition, they will receive skilled medical attention, hot nutritious meals, clean clothes, laundry facilities, hot showers, personal lockers, counseling, job training and employment assistance, GED education, and nurturing by qualified, professional staff. In addition, RYSE will manage a Temporary Emergency Shelter for unaccompanied youth effected by COVID 19 Pandemic.

Kinai ‘Eha

Kinai ‘Eha translated from Hawaiian means “To extinguish pain.” Kinai ‘Eha aims to provide an alternative education option to ‘opio (youth) that need and seek, a life purpose, personal empowerment, education, Hawaiian cultural identity and connection, workforce training in construction and the trades, community service and leadership. The program will also begin to develop a residential program.

Hale Kipa Inc

In 2014 the State Legislature passed a new law decriminalizing prostitution for minors. Since then, Local Law Enforcement and Child Protective Services have been searching for an answer on what to do with the minors when they are located and identified as Commercially Sexual Exploited Children, (CSEC).


Hale Kipa currently manages an assessment center and emergency shelter on the Kawaiiloa Campus. This Center accepts DHS Child Welfare Services referrals, and self or other referrals of youth, ages 12-17, who are suspected or confirmed of being a victim/survivor of commercial sexual exploitation or sex trafficking. The program’s goal is to provide them with immediate safety and stabilization through a nurturing environment, while assessments and wraparound services can be provided to the child and family in an attempt to reconcile the family or identify a more appropriate community placement. While the program is meant to be a stable, short-term emergency placement during a time of crisis, it has flexibility to maintain a resident until a thorough plan of discharge is implemented.

RECOMMENDATIONS:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, 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. Consent to the execution of direct leases between the Department of Human Services, Office of Youth Services and the Applicant Lessees described above, subject to any applicable 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 non-profit lease document form as may be amended, as appropriate;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Director of Human Services to best serve the interests of the State.

Respectfully Submitted

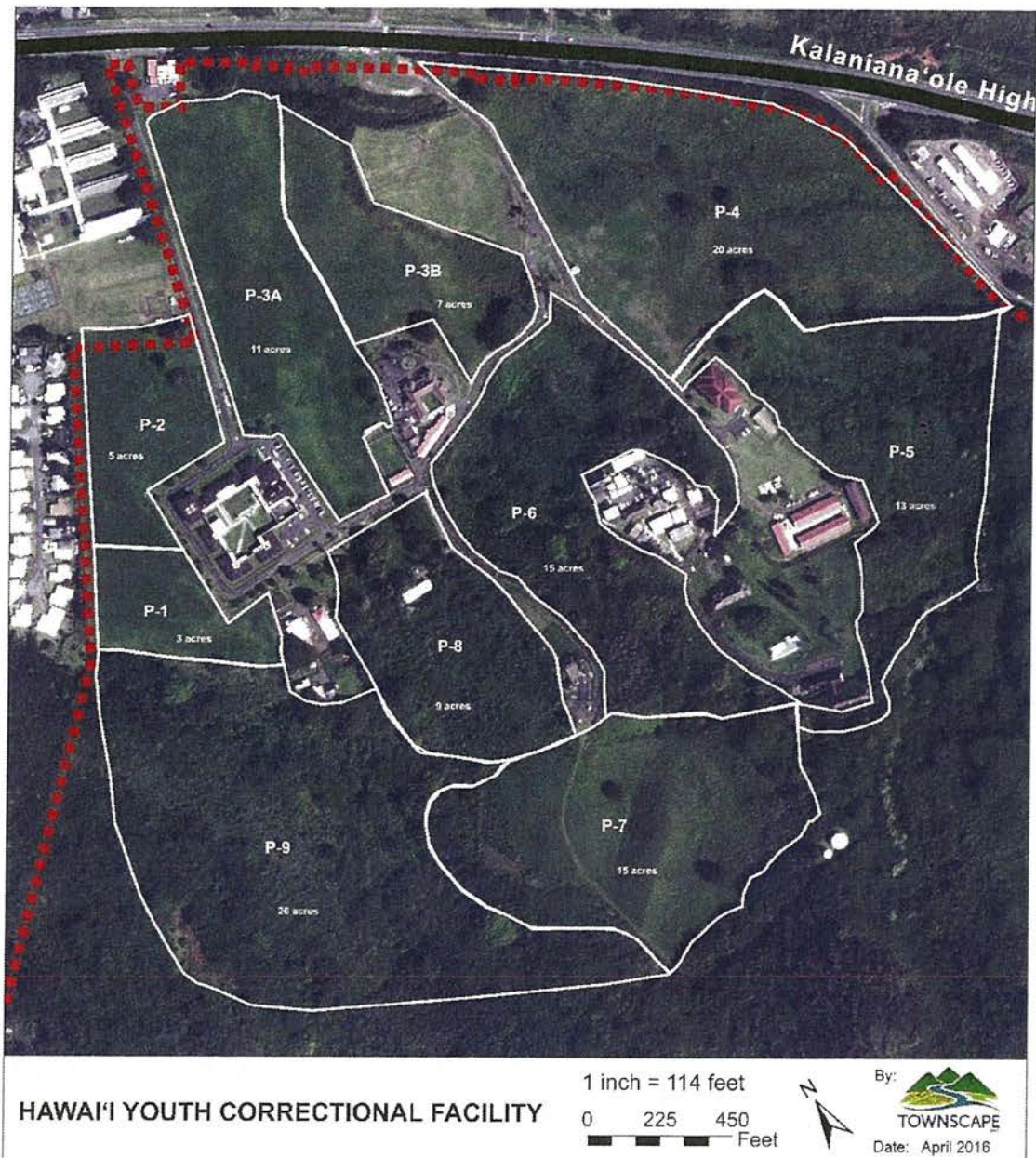
Leanne Gillespie Jan 12, 2022
Leanne Gillespie Date
Acting Executive Director
Office of Youth Service

 Jan 12, 2022
Catherine Betts Date
Director
Department of Human Services

Approved for Submittal

Suzanne D. Case Jan 17, 2022
Suzanne D. Case Date
Chairperson
Board of Land and Natural Resources

Exhibit A1





TMK (1) 4-2-006: portion of 002

Exhibit A2

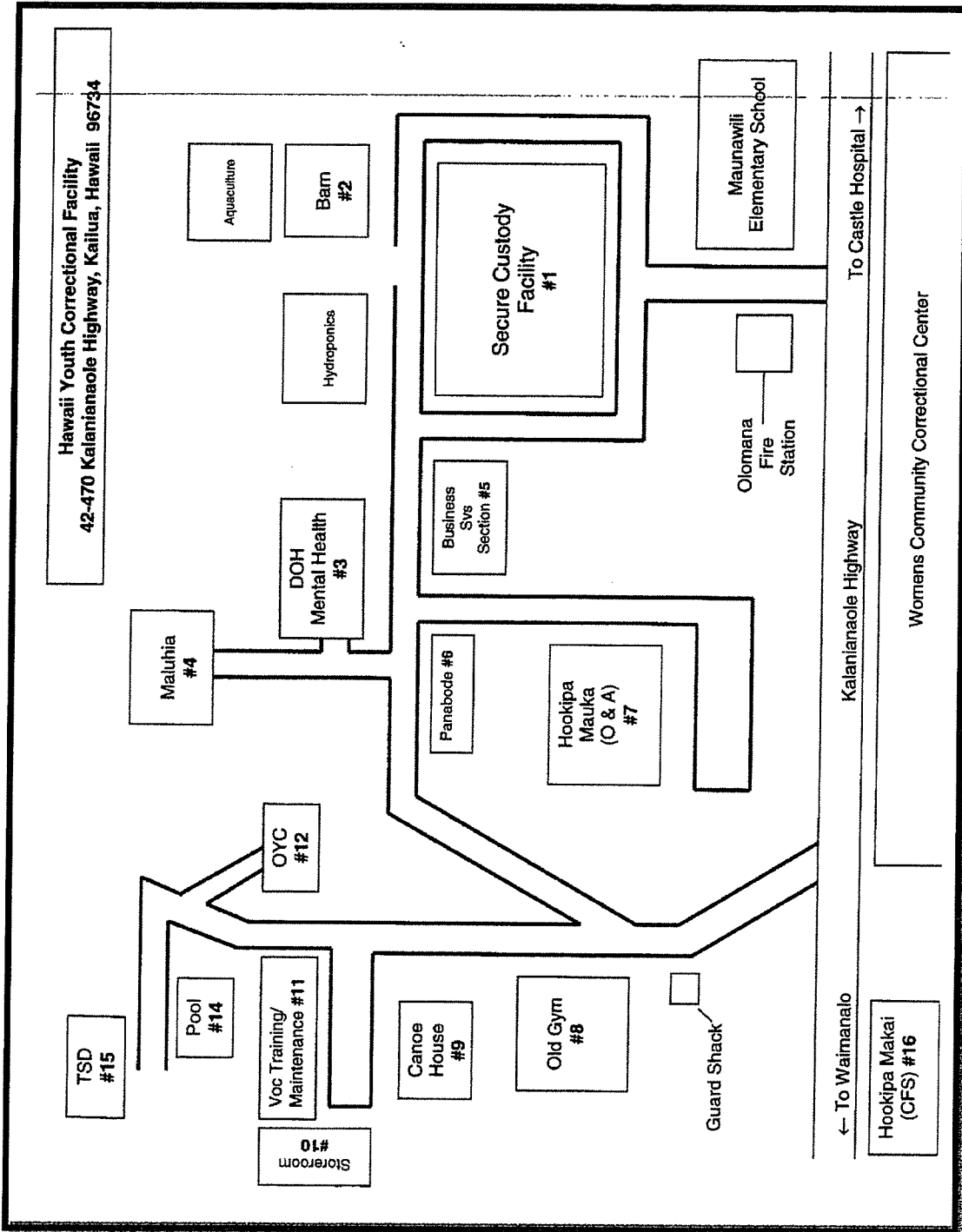


Exhibit B

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Consent to issuance of Direct Leases with Non-profit Corporations for the Use of Portions of the Hawaii Youth Correctional Facility in Kailua, Oahu
Project / Reference No.:	EO 172
Project Location:	Kailua, Koolopoko, Oahu, TMK:(1) 4-2-006: portions of: 002
Project Description:	Issuance of direct leases between the Department of Human Services, by its Office of Youth Services and the non-profit entities regarding the provision of services over portions of the Hawaii Youth Correctional Facility in Kailua, Oahu
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	<p>In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type. 1, Part 1, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing", Item 40, which states the "Leases of state land involving negligible or no expansion or change of use beyond that previously existing".</p> <p>Office of Youth Services plan to issue leases with the social service providers regarding the use of portions of the Hawaii Youth Correctional Facility. Staff does not anticipate any change of use beyond the previously existing.</p>
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No. Staff believes the request would involve negligible impact to the subject area.
Action May Have Significant Impact on	Staff is not aware of any particularly sensitive environmental issues and use of the area would involve negligible impact.

Particularly Sensitive
Environment?

Consulted Parties: Department of Land and Natural Resources.

Recommendation: It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.