

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

September 9, 2022

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to Darryl and Lauren Fujimoto, Husband and Wife, located at Honokohau Small Boat Harbor, Kealakehe, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).

And

Declare Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

Darryl and Lauren Fujimoto, husband and wife, whose mailing address is 75-5608 Hienaloli Road #63, Kailua-Kona, HI 96740.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Honokohau Small Boat Harbor (Honokohau SBH), Kealakehe, North Kona, Hawaii, identified as Tax Map Key: (3) 7-4-008:003, hereinafter referred to as the "Premises" as shown on the map labeled **EXHIBIT A-1 and A-2** and attached hereto.

AREA:

Approximately 94 square feet, more or less.

**Item J-2**

ZONING:

State Land Use District: Urban & Conservation

County of Hawaii: CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act: YES  NO

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES  NO

CURRENT USE STATUS:

Encumbered to Legend Sportfishing, Inc.

CHARACTER OF USE:

Covered area used for storage and recreation.

COMMENCEMENT DATE:

The first day of July 2022.

MONTHLY RENTAL:

\$47.00 per month, based on an in-house valuation of \$.50 per square foot per month, or \$6.00 per square foot annually.

COLLATERAL SECURITY DEPOSIT:

Twice the Monthly Rental.

DCCA VERIFICATION:

Individuals, not applicable.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 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 No. 44, which states, "Permits, licenses,

registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.”

REMARKS:

At its meeting on February 22, 2019, under the agenda item J-3, the Board approved the issuance of revocable permits to numerous applicants for the use of shade structures on State lands adjacent to their slips at Honokohau SBH. One of those approved applicants was Legend Sportfishing, Inc., who had a pavilion adjacent to their slip #A-14 and held Revocable Permit number 57.

In August 2021, Legend Sportfishing, Inc. ownership changed, and they exchanged slips within the harbor. Legend Sportfishing, Inc. has since then relocated to slip #H-5 and Darryl Fujimoto now occupies slip #A-14. Darryl would like to request a revocable permit for the fastlands adjacent to his slip.

Staff recommends the Board approve to issuance of a revocable permit to Darryl and Lauren Fujimoto for the use of state lands for the purpose of having a covered area used for storage and recreation. Since the commercial use permits associated with these structures have a term not to exceed one year, and must be renewed annually, staff believes that a revocable permit is the appropriate disposition in this instance. Staff further believes that there is no need for the mooring permits and revocable permits to be coterminous, as each may be terminated within 30 days.

RECOMMENDATION:

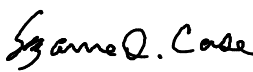
That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, 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 issuance of a Revocable Permit to Darryl and Lauren Fujimoto, husband and wife, at Honokohau SBH 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; and
  - b. Review and approval by the Department of the Attorney General.
  - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

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

APPROVED FOR SUBMITTAL:

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

Attachment:

- A-1 Location Map
- A-2 Location Map



## Exhibit A-2

### Honokohau Small Boat Harbor

