

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

May 26, 2023

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to Hawaii Fire Department, County of Hawaii, for Office Space for West Hawaii Ocean Safety Operations Purposes, Situated at Kailua-Kona Pier, North Kona, Island of Hawaii, Hawaii, Tax Map Key: (3) 7-5-006:039 (por.).

And

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

APPLICANT:

Hawaii Fire Department, County of Hawaii, whose mailing business address is 25 Aupuni Street Suite 2501, Hilo, Hawaii, 96720.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Kailua-Kona Pier, North Kona, Island of Hawaii, Hawaii, identified by Tax Map Key: (3) 7-5-006:039 (por.), hereinafter referred to as the "Premises" as shown on the map labeled **EXHIBIT A-1 and A-2** and attached hereto.

AREA:

Approximately 110 square feet, more or less.

ZONING:

State Land Use District: Urban

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:

Unencumbered.

CHARACTER OF USE:

Office used for West Hawaii Ocean Safety daily operations and to store equipment and supplies.

COMMENCEMENT DATE:

May 1, 2023

MONTHLY RENTAL:

Gratis

COLLATERAL SECURITY DEPOSIT:

Waived

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," Part 1, 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:

The Hawaii Fire Department's West Hawaii Ocean Safety Branch operates in the waters from Spencer Park at Kawaihae to Kahalu'u Beach Park. The Branch lost its office at the Kona Civic Center and was offered temporarily use of the Premises by DOBOR's previous District Manager. The office serves as the Branch's main hub for ocean safety operations in West Hawaii and will also provide a space for Ocean Safety to store small equipment and supplies to replenish the needs of the lifeguard towers in West Hawaii.

Since there are no lifeguards stationed at Kailua-Kona pier, having someone with ocean safety knowledge and basic lifesaving skills and equipment located on site is beneficial to the community in the event of an emergency situation.

The applicant will be responsible for paying a fair share of the monthly electricity bill for that office, which is shared with the Division of Boating and Ocean Recreation (DOBOR). 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, 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. Based on the testimony and facts presented, the Board finds that approving the revocable permit under the conditions and rent set forth herein will serve the best interests of the State.
3. Authorize issuance of a revocable permit to Hawaii Fire Department covering the subject area for an office space and storage area for West Hawaii Ocean Safety operations on the Kailua-Kona Pier, 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:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources

Attachments:

- A-1 Site Location
- A-2 Site Location

Exhibit A-1

Site Location
Kailua-Kona Pier, Hawaii Island



Exhibit A-2

Site Location

Office at Kailua-Kona Pier, Hawaii Island (indicated in red)



Exhibit A-2