

**From:** [Riley Smith](#)  
**To:** [Ferreira, Darlene S](#)  
**Subject:** [EXTERNAL] FW: Non-action item on BLNR agenda J-2  
**Date:** Tuesday, August 22, 2023 9:00:37 AM  
**Attachments:** [Halau 1.docx](#)  
[Halau 2.docx](#)  
[Halau 3.docx](#)  
[Halau 4.docx](#)

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Darlene...Here's the third/last one.  
Riley

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**From:** Stephen Arnett <stevearnett@hawaiiantel.net>  
**Sent:** Monday, August 21, 2023 4:20 PM  
**To:** blnrtestimony@hawaii.gov  
**Cc:** Riley Smith <rsmith@lanihau.net>; 'Casey Mayes' <casey.mayes@konasailingclub.org>; 'Jody Bright' <jbright@hbgfc.org>  
**Subject:** Non-action item on BLNR agenda J-2

### External Email

Aloha Board of Land and Natural Resources:

NON ACTION ITEM J-2

I am submitting testimony on behalf of our organization, Hawaii Island Paddlesports Association, located in the Honokohau Harbor on the Big Island.

Although we are a non-profit with the IRS status of a 501 (c) 3, and for some time, we still are paying a rent rate significantly higher than the state non-profit rate of \$480 per year. Last year our rent was \$9,000+.

We do not have immediate access to the water. All of our members must walk their canoes to the makai boat ramp to access the harbor.

We know that the DLNR staff will be presenting information regarding the rents for Honokohau Harbor, but we have not been privy to any of that information.

I have included photos of our location and you can see that we our halau does not have immediate access to the water.

We would appreciate the board considering giving our organization the same non-profit rate as other canoe clubs, many of those with immediate access to the water.

Mahalo Nui Loa for your consideration of a rate reduction for our association and halau.

Aloha,

Steve Arnett  
Vice President, HIPA



KONA SAILING  
CLUB

HAWAII ISLAND,  
PADDLESPO RTS ASSN



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ASSOCIATION







TESTIMONY - HAWAII BIG GAME FISHING CLUB, INC.  
BOARD OF LAND AND NATURAL RESOURCES 8/25/2023

Relative to the BLNR meeting scheduled for Friday August 25, 2023 I would like to submit testimony on behalf of our organization, Hawaii Big Game Fishing Club, Inc. as we appear in Agenda Item J-2, second attachment - specifically Slide #23.

The Hawaii Big Game Fishing Club (HBGFC) is currently a DOBOR renter under Revocable Permit #6. HBGFC has applied for a long term lease - and - HBGFC has applied for nominal rent under HRS 171-43.1 as HBGFC is a 501(c)3 organization and HBGFC meets all the criteria to be granted nominal rent under HRS 171-43.1.

HBGFC is located in the Honokohau Harbor on the Big Island of Hawaii. HBGFC lands rented from DOBOR are not waterfront and all improvements have been carved out of a raw lava flow. Our club house is a simple shell and our luau grounds are open air under a metal roof. We are nothing like the Outrigger Canoe Club for instance, in either elite status of our members or fanciness of our facility. Our facilities are as basic as they can be and the members and users of the facility are from every single walk of life and culture found throughout Hawaii.

HBGFC was founded in 1914 and we inherited the somewhat cryptic mission/organizational purpose statement from bygone generations. The current board recognizes that it is outdated and we are in the process of updating it to include all the activities that HBGFC engages in during the 21st Century. The old mission says HBGFC is organized for: "The preservation and conservation of marine resources through public education, research, the promotion of sportsmanship among the youth of the community, and through participation in club activities."

HBGFC succeeds at this mission by hosting a number of Keiki fishing tournaments and educating kids (and adults) on the conservation importance of catch and release of fish. HBGFC members also provide support for The Kona Project of the oldest saltwater fish oriented NGO in the USA - Wild Oceans - also a 501(c)3. Discoveries by Hawaii based and UH scientists have shown that Hawaii and the Kona eddy system in particular are the single most important spawning ground for pelagic fish in the entire North Pacific Ocean - a scientific discovery holding international management implications, affecting not only the fish, but all Pacific communities that rely on healthy stocks of pelagic fish.

HBGFC has also acted quickly in response to the wildfires on Maui and established the Maui Fishery Community Relief Fund and we have been working with Maui residents to bring us applicants for emergency funding of "bridge cash" we send over to help survivors get by until things settle out over there.

HBGFC also hosts Alcoholics Anonymous and Narcotics Anonymous meeting at our facility, even though this is outside of our "mission" we provide the facility for only \$25 per meeting. For these meetings and others, the County of Hawaii recognized the broad community service importance of HBGFC and granted us special permits to operate during times of strict Covid shutdowns, so we don't understand DOBOR staff and their contrary belief.

HBGFC also funds a \$5,000.00 scholarship program for college bound students of Hawaii Explorations Academy charter school campus at Natural Energy Lab. To keep this testimony concise, we listed a broad variety of activities - not **all** of our activities.

DOBOR staff has pointed out that most of the 501(c)3 orgs were granted nominal or zero rent for three reasons (1) they meet the criteria of HRS 200-20 and/or; (2) DOBOR staff believes they have sufficiently broad community service benefits and/or; (3) the org meets the mission of DLNR - "Enhance, protect, conserve and manage Hawai'i's unique and limited natural, cultural and historic resources..."

HRS 200-20 only applies to canoe clubs, so a natural resource oriented ORG can't qualify. There is not a "like minded" HRS for fishing - even though as far back as the Polynesian voyagers and beyond - the people on the canoes and subsequent generations relied heavily on fishing and fishermen. HRS 200-20 is extremely narrow in scope as are the requirements under it. To the casual observer, this appears to be a double standard when "narrow in scope" is used as a reason to deny a natural resource oriented 501(c)3 nominal rent. (See below)

Obviously, HRS 200-20 is an easy call for DOBOR staff to make in favor of canoe clubs. However, the Mission of DLNR/DOBOR is also to "Enhance, protect, conserve and manage Hawai'i's unique and limited **Natural Resources**" not just cultural resources. This is where the broad community service of HBGFC starts - but it certainly does not end there. See above for partial list of our current charitable activities.

HBGFC is baffled by DOBOR staff and their continued position stated in Slide #23 - "Staff believes that its charitable activities benefit a narrow group of individuals and not the general public." HBGFC has supplied on numerous occasions a comprehensive list of broad based community benefits - many of which are even outside and in addition to what HRS 171-43.1 states an org must operate under "The lands shall be used by such eleemosynary organizations for the purposes for which their charter was issued and for which they were certified by the Internal Revenue Service."

HBGFC uses their land for this and more. HBGFC qualifies under this Statute. DOBOR criteria of Community Benefit appears arbitrary and not applied fairly across all non-profits.

For instance, HBGFC believe DOBOR staff errs when they judge a 501(c)3 org that was formed for specific purposes - and granted 501(c)3 status for those specific purposes - as not having community benefit.

A non-profit that was formed to primarily Enhance, Conserve, Protect and Manage Natural Resources simply cannot be the Red Cross or the Food Bank. This type of comparison makes no sense and HRS 171-43.1 INCLUDES these organizations - it does not exclude them.....so yes, we are baffled when DOBOR staff uses this against us, instead of pointing out this is one reason why HBGFC actually qualifies under HRS 171-43.1 - for starters.

For the reasons stated herein and more, we continue to request nominal rent under HRS 171-43.1 and posit that DOBOR staff assessment of HBGFC in and of itself is limited in scope and does not adequately or fairly reflect the true charitable importance or breadth and scope of activities of the Hawaii Big Game Fishing Club, Inc.

**From:** [Riley Smith](#)  
**To:** [Ferreira, Darlene S](#)  
**Subject:** [EXTERNAL] FW: Non-action item on BLNR agenda J-2  
**Date:** Tuesday, August 22, 2023 8:59:45 AM

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Darlene...Here's the second one.  
Riley

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**From:** Leila Duim <leiladuim1@hawaii.rr.com>  
**Sent:** Monday, August 21, 2023 7:03 PM  
**To:** blnrtestimony@hawaii.gov  
**Cc:** Riley Smith <rsmith@lanihau.net>; 'Casey Mayes' <casey.mayes@konasailingclub.org>; 'Jody Bright' <jbright@hbgfc.org>; 'Stephen Arnett' <stevearnett@hawaiiantel.net>; 'Linny Cox' <linny@aliibuilders.com>  
**Subject:** RE: Non-action item on BLNR agenda J-2

### External Email

Re: NON ACTION ITEM J-2

Aloha Board of Land and Natural Resources,

I would like to submit testimony on behalf of our organization, Hawaii Island Paddlesports Association, located in the Honokohau Harbor on the Big Island of Hawaii.

We are a non-profit with the IRS status of a 501 (c) 3, and are paying \$756.00 per month, which comes up to \$9072.00 per year. We are aware that other non-profit canoe paddling clubs/associations pay a rate of \$480 per year.

I would like to ask the board to consider giving our organization the same non-profit rate as the other canoe paddling clubs/associations.

Thank you in advance for your time and consideration in this matter.

Aloha,

Leila Duim, Treasurer  
Hawaii Island Paddlesport Association

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**From:** Stephen Arnett <[stevearnett@hawaiiantel.net](mailto:stevearnett@hawaiiantel.net)>  
**Sent:** Monday, August 21, 2023 4:20 PM  
**To:** [blnrtestimony@hawaii.gov](mailto:blnrtestimony@hawaii.gov)

**Cc:** 'Riley Smith' <[rsmith@lanihau.net](mailto:rsmith@lanihau.net)>; 'Casey Mayes' <[casey.mayes@konasailingclub.org](mailto:casey.mayes@konasailingclub.org)>; 'Jody Bright' <[jbright@hbgfc.org](mailto:jbright@hbgfc.org)>

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Aloha,

Steve Arnett  
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ASSOCIATION



**From:** [Terry Trinidad](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support , Hawaii Island Paddlesports Association  
**Date:** Thursday, August 24, 2023 6:11:19 AM

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Aloha,

I am the President of Keauhou Canoe Club and work in close collaboration with Hawaii Island Paddlesports Association to train our paddlers. During our regatta and long distance racing season, we alternate days of practice at each facility. On the days when our paddlers are not in a six person canoe, we have them, practice at the HIPA halau, doing one or two person canoe training.

We are aware that HIPA is seeking a rent reduction and a long term lease.

Members our club have the dual opportunity to train at our practice facility and the HIPA halau. The HIPA facility is open to any paddler and fulfills a much needed space in our training regimen for adults and juniors.

HIPA benefits a large portion of the public as well as our club members.

Mahalo,  
Terry Trinidad  
President, Keauhou Canoe Club

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Sent from Gmail Mobile

## Supplemental

Below is a list of reasons that support why we believe our organization should be treated equally as other organizations that operate on state land with regards to 501c3 reduced rate rent. Below this list is a strategic plan for 2024. We will continue to operate per this strategic plan irregardless of the outcome of the reduced rate rent, albeit with some degree of difficulty. Our current fees for boat parking will not decrease for our members, rather, the money we save will help accelerate our strategic plans to expand our offerings for West Hawaii Communities.

- **Our club is not exclusive.** We encourage and rely on those interested in sailing outside of our membership to crew for boats in our events or participate in our land based activities. <https://konasailingclub.org/visiting-sailors/>
- **The benefits of being a paying "member" is essentially the same as being a public participant.** Having a membership is not a defining characteristic of our club. 501c3 organizations do have memberships such as the YMCA, that are used to support the organization's mission and administrative overhead. Essentially, all of our members become paying members, annually to support our club, and its events. Although we have non members crew for boats and participate, we encourage them to join as members for two reasons.
  - A commitment to our club. Our members benefit from the knowledge, experience and access to like minded individuals who share a common interest.
  - Support our mission to introduce sailing and promote healthy, educated and responsible boating/ocean activities in the community.
  - There is one intrinsic benefit to being a member of a sailing club that is a member of the US SAILING ORG and HYRA (Hawaii Yacht Racing Association, is that KSC members can (generally, not always) use their membership card abroad when visiting other clubs for discounts or use of their facilities.
- **We have two main membership types**
  - General Membership.
  - Membership with special parking privilege. - This is where KSC gets the bulk of its income to pay for the leased space. All boats are owned by individual members. We require each member of this type to participate in a certain number of events per year. This way we have "skippers" available that members and the general public can crew for our events.
- **We do not engage in other commercial activities.** Meaning, all of our events, everything we do is volunteer. We do not sublease. We do not charge for clubhouse usage. We have no employees. We source zero income except for that which pays for our lease, utilities and small minutiae for events plus a 3% (\$4000) surplus year over year to pay for maintenance.
- **We are not a "Yacht" club.** Please see below for some distinctions between us and "Yacht Clubs"
  - The median sale price for any of the vessels on our lot is ~\$6000. Members with "Yacht clubs" that have vessels occupying slips typically range from \$30,000 to many hundreds of thousands of dollars.

- Yacht clubs, at a minimum, have access to amenities such as water, electricity, and bathrooms. We do pay for water provided by DOBOR, but we have no other public utilities or onsite restrooms
- We do not have direct access to the ocean. All our members are required to launch their craft. No dock or slip space.
- Yacht clubs require you to initiate as a "plebe" and not as a full fledged member (which can cost thousands of dollars) | KSC does not. Everyone is welcome to join. Our nominal annual membership fee is \$100. \$10 for youth and students.
- Yacht Clubs permit exclusive, members only access, to their facilities which, depending on the club, includes swimming pools, tennis courts, restaurant, etc. | KSC does not. We do not provide for the same facilities. We are open to anyone, for all events and our "amenities" are very limited.
- Waikiki and Kaneohe and other standard yacht clubs require members to spend a certain dollar amount at their bar/restaurant. | KSC has no such venue and only requires members and the public alike to pay a small nominal charge for setting up regattas or donating (usually food - potluck) for social events.
- **KSC hosts other organizations, foundations, and individuals at ZERO cost.** We do not charge for the use of our facility. In some instances we request that those organizations donate time helping during a work day or if there are any maintenance projects we need assistance with.
  - KSC hosts Coast Guard Auxiliary monthly meetings and they utilize our facility and member's boats to train recruits.
  - KSC hosts fishing tournament events at no cost.
  - KSC hosts youth sailing activities for other sailing foundations and youth programs at zero cost.
  - Unfortunately we have hosted a few funerals, of course at zero cost, and we have been fortunate to be able to provide a gathering place for those families and friends.

## 2024 Strategic Plan

- Reinvest and support local charities such as BISF, ODA and US Coast Guard Auxiliary
- Build a small fleet of sailboats strictly for education purposes
- Work with USCG Auxiliary and their partnership with Sea Scouts to initialize a sailing program with KSC.
- Utilize current members boats for instruction, open to the public, for US Sailing certified keelboat instruction courses at a nominal fee (or free).
- Promote US Sailing certification instruction programs
- Offer Student Scholarships.

# Facilities Pictures

KSC property



Kona Sailing Club (KSC) with ODA



Aloha Members of the Board,

I am writing to provide testimony in support of The Kona Sailing Club's request for a reduced rate rent as a 501(c)(3) organization. I am confident that granting this reduced rate will align with the broader goals of promoting community engagement, environmental stewardship, and fostering inclusive recreational opportunities within the community of Hawaii. The Kona Sailing Club's commitment to these values is exemplified through its dedication to inclusivity and its extensive contributions to the local community.

The Kona Sailing Club is more than a sailing organization; it is a hub for fostering unity and promoting access to the natural beauty and resources that the state of Hawaii has to offer and by extension promoting DLNR's mission:

*"Enhance, protect, conserve and manage Hawaii's unique and limited natural, cultural and historic resources held in public trust for current and future generations of the people of Hawaii nei, and its visitors, in partnership with others from the public and private sectors."*

The club's mission centers around providing educational and recreational opportunities for individuals of all backgrounds, ages and abilities. This commitment to inclusivity is not only reflected in the club's membership composition but also in its wide range of outreach initiatives and collaborations such as The United States Coast Guard Auxiliary, Ocean Defense Alliance, and Big Island Sailing Foundation.

One of the key factors that set The Kona Sailing Club apart from Yacht clubs, is its dedication to making sailing accessible for everyone. Through programs such as youth sailing camps and community sailing events the club actively works to break down barriers that might otherwise prevent individuals from engaging in the sport. By providing a safe and welcoming environment the club empowered people from diverse walks of life to connect with the ocean and the art of sailing.

Moreover, the club's 501(c)(3) status underscores its commitment to benefiting the community at large. By operating as a nonprofit, The Kona Sailing Club reinvests any revenue generated into its mission-driven activities, ensuring that the benefits of its operations are felt by a wide range of individuals and groups. The reduced rate rent would greatly enhance the club's capacity to allocate resources towards furthering its educational and outreach initiatives, which are pivotal in maintaining its role as a community asset.

In conclusion, I urge the DLNR Board of directors to consider The Kona Sailing Club's substantial contribution to the community and its steadfast commitment to inclusivity when deliberating on the request for a reduced rate rent. Granting this request would not only align with the principles of supporting 501(c)(3) organizations but also amplify the positive impact that The Kona Sailing Club has on the diverse population of Hawaii. I believe that by investing in this organization, we are investing in a more united, educated, and inclusive community.

Mahalo for your time and consideration,

Casey Mayes  
Commodore  
Kona Sailing Club  
808.557.6075

<https://konasailingclub.org>



**From:** [Alicia Starson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Daniel Starson](#)  
**Subject:** [EXTERNAL] 8/25/23 meeting - reduced rent for 501c3 Kona Sailing club  
**Date:** Tuesday, August 22, 2023 1:41:09 PM

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Dear Members of the Board of Land and Natural Resources,

RE: Item J, #2 on the agenda 8/25/23 meeting

I am writing to provide testimony in support of The Kona Sailing Club's request for a reduced rate rent as a 501(c)(3) organization. I am the President of Big Island Sailing Foundation (BISF) a 501c3 corporation. BISF and Kona Sailing Club (KSC) have been working together for 20 years to promote and facilitate youth sailing. KSC was it self granted 501c3 status 2 years ago. The two organizations have continued to work together. We work together jointly on programs such as youth sailing camps and community sailing events. I see KSC is actively working to break down barriers that might otherwise prevent individuals from engaging in the sport. By providing a safe and welcoming environment the club empowered people from diverse walks of life to connect with the ocean and the art of sailing.

KSC's mission centers around providing educational and recreational opportunities for individuals of all backgrounds, ages and abilities. This commitment to inclusivity is not only reflected in the club's membership composition but also in its wide range of outreach initiatives and collaborations such as The United States Coast Guard Auxiliary, Ocean Defense Alliance, and Big Island Sailing Foundation.

KSC's 501(c)(3) status underscores its commitment to benefiting the community at large. By operating as a nonprofit, The Kona Sailing Club reinvests any revenue generated into its mission-driven activities, ensuring that the benefits of its operations are felt by a range of individuals and groups. The reduced rate rent would greatly enhance the club's capacity to allocate resources towards furthering its educational and outreach initiatives, which are pivotal in maintaining its role as a community asset.

In conclusion, I urge the DLNR Board of directors to consider The Kona Sailing Club's contribution to the community and its steadfast commitment to inclusivity when deliberating on the request for a reduced rate rent. Granting this request would not only align with the principles of supporting 501(c)(3) organizations but also amplify the positive impact that The Kona Sailing Club has on the diverse population of Hawaii.

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Mahalo for your time and consideration,



Alicia Starsong

BISF Pres. and KSC Member

8/22/23

**From:** [Francis Savage](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in support of The Kona Sailing Club  
**Date:** Wednesday, August 23, 2023 10:57:13 PM

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Dear Members of the Board,

I am writing to provide testimony in support of The Kona Sailing Club's request for a reduced rate rent of \$480 per year as a 501(c)(3) organization. I believe that authorizing this reduced rate will increase the opportunities being offered to the local sailing community. The Kona Sailing Club's non profit focus and outreach through the Big Island Sailing foundation has really made a positive impact on my teenage daughter. A few years ago I had to pressure her to attend her first sailing camp but in the past few years after attending numerous sailing camps at the KOnas Sailing Club she has really gained confidence in sailing her own dinghy ! She is now a junior instructor helping other young children learn the art of sailing. She looks forward to each sailing camp being offered and really bonds with other children her age and spends quality time on the water having all sorts of adventures. She has been trained to know how to respond and recover from less than ideal situations such as a capsizing and this training has really boosted her self confidence in school and at home.

We don't own a boat of our own due to financial circumstances and the fact that through The Big Island Sailing Foundation and the Kona sailing club she is able to have access to a vessel and learn to sail is wonderful. I can't stress enough how much we appreciate the positive contribution Kona sailing Club has on the local youth that have an opportunity to learn to sail and get to know their local waters and themselves better.

Myself and my daughter urge the DLNR Board of directors to consider The Kona Sailing Club's request for a reduced rate rent which will surely result in more benefits for the local community.

Thanks for your time

--

***Regards,  
Francis Savage***

August 24, 2023

Regarding: J- Informational Briefing on DOBOR's Non-Profit Rent Policy for 501(c)(1) and 501(c)(3) Organizations.

Dear Chair for the Board of Land and Natural Resources Dawn Chang and Board Members:

**How was this session advertised?**

Board Members, please ask DOBOR administrators how they informed the public about today's informational session about Non-profit group use of State own public lands.

This informational session today to be presented by DOBOR for the Board of Land and Natural Resources Meeting, could have been made public with a 'DOBOR Alert' system.

DOBOR Email alerts are sent to people who sign up to get email updates. The updates which can be emergency notices and also for more routine communication such as boat auctions, reduced office hours due to computer outages, or holiday scheduling.

The people who sign up for DOBOR Alerts are mostly boaters and people who use State lands for outrigger canoe paddling and other water sports. The public would probably like to listen to this presentation but are likely not going to be listeners at today's ZOOM meeting, or in person, because they do not know about the presentation. There has been no targeted advertising for it and it is difficult for the public to monitor every meeting of the Board, City Council and Legislative session regarding DLNR topics.

**Can non-profits collect money as long as it is re-invested?**

Board Members, please ask DOBOR administrators if a non-profit group could run a parking lot. In 2008, a State funded third party mediation group managed the negotiations in which the 549 free Public Parking stalls were reduced by 249 stalls leaving 'no less free 300' parking stalls for free public use.

The income from the 'lost' 249 parking stalls was to be used at the Ala Wai Small Boat Harbor was to pay for the maintenance for the of the remaining 300 stalls in terms of parking and signage plus lighting, paving, and bathrooms maintenance. Plus the water

for surfer showers which runs about \$5,000.00 a month. The amount of funding is easily paid for by the income generated from the 249 parking stalls given to DOBOR by the Public, in Public meetings and then during a formal negotiation in 2008. The 249 parking stalls are the bulk of the current Paid parking stalls (329) that bring in 100,000 a month.

If even 1/3 of the current paid parking income of about 35,000.00 a month was allotted to free recreational parking for 'Utilities', then there would be plenty of money for the maintenance of the 300 recreational stalls.

Some people think the surfers and boaters should get the 249 parking stalls back, due to lack of good will by DOBOR to do as they said they would in 2008 with the money generated from paid parking. The income from the 249 parking stalls that was converted from free to paid would maintain the restrooms, provide security and pay for the water, lights and parking signage and paving.

**The 'Comfort Station' restrooms on the 600-700 row at the AWSBH, and the use of non-profit funding for maintenance and improvements of restrooms.**

DOBOR policy is to lock the bathrooms at 4:00 pm on weekdays. This is just about the time when the bathrooms are most needed for recreational use by the public who are getting off of work and school.

On weekends that bathroom is open all weekend which is good but sometimes leads to houseless persons sleeping in the bathrooms.

Most 'properly run' public beach parks around the United States have a 'Sunrise to Sundown' Policy.

There are people who could lock (and unlock) the doors fairly easily each day. It could be a paid boater or trusted volunteer person. Or the Hilton could provide this service, since they have security guards who drive on Golf Carts in the area anyway. Per the negotiated contract between DNLR and the Hilton to get use of the Duke Kahanmoku lagoon, the Hilton was to supply a PUBLIC bathroom. Therefore, locking and unlocking the Public bathroom near the recreational parking area would be an easy task for the Hilton staff.

Bathrooms are a significant aspect of ocean facing public lands and usability of the area by the public. There have been issues with the He'eia Kea Bathroom funding and fraud, plus pollution.

<https://www.hawaiinewsnow.com/2023/04/28/flabbergasted-state-agency-charges-with-protecting-hawaiis-resources-faces-600000-fine-pollution/>