

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

January 12, 2024

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to J-23 CORP. for Shade Structure purposes at Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).

And

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

APPLICANT:

J-23 CORP., a Hawaii domestic profit corporation whose mailing address is 101 Gardner Park, Peachtree City, GA 30269.

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 (por.), as shown on attached map labeled **EXHIBIT A-1 and A-2** and attached hereto.

AREA:

Approximately 364 square feet, more or less, plans attached **EXHIBITS B-1 to B-5**.

ZONING:

State Land Use District: Urban

County of Hawaii: Open

TRUST LAND STATUS:

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

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

CURRENT USE STATUS:

Unencumbered.

CHARACTER OF USE:

Covered area used for storage and recreation.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

\$182.00 per month, based on an in-house valuation of \$0.50 per square foot per month, or \$6.00 per square foot annually.

COLLATERAL SECURITY DEPOSIT:

Twice the Monthly Rental.

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

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:

J-23 CORP. requests a revocable permit for the fast lands adjacent to its slip #H-17 at Honokohau SBH, slip.

Staff recommends the Board approve to issuance of a revocable permit to J-23 CORP. 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. 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 interest of the State.
3. Authorize issuance of a Revocable Permit to J-23 CORP. 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,



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

APPROVED FOR SUBMITTAL:



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

Attachment:

Exhibit A-1 – Site Location

Exhibit A-2 – Site Location

Exhibit B1-B5

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Issuance of Revocable Permit to J-23 CORP for a Pavilion located at Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).
Project / Reference No.:	
Project Location:	Honokohau Small Boat Harbor, Kailua-Kona, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por).
Project Description:	Issuance of Revocable Permit for Pavilion
Chap. 343 Trigger(s):	Use of State lands
Exemption Class No(s).:	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."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	There are no permanent above ground structures. Activities in the subject area have resulted in no known significant impact to the natural and environmental resources in the area.
Action May have Significant Impact on Particularly Sensitive Environment?	Staff is not aware of any particularly sensitive environmental issues and use of the area would not change negligently from what is existing.
Analysis:	Based on the above mentioned, staff believes there would be no significant impact to the environment.
Consulted Parties:	None
Declaration:	The Board find that this project will probably have minimal or no significant effect on the environment and declares that this project is exempt from the preparation of an environmental assessment.

Exhibit A-1
Location of J-23 Corp. Pavillion
Honokohau Small Boat Harbor

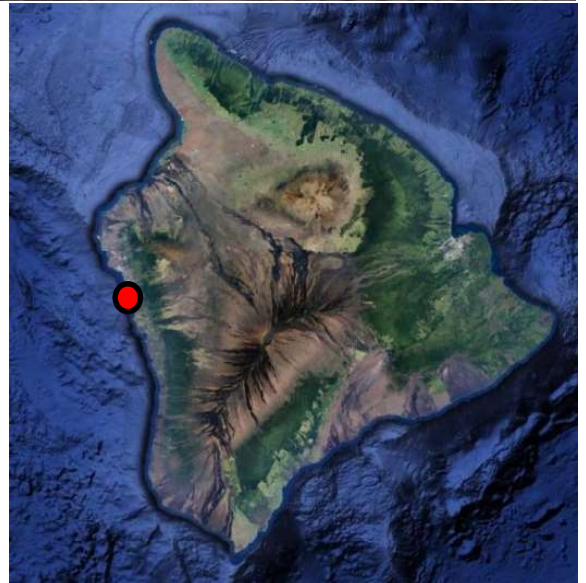
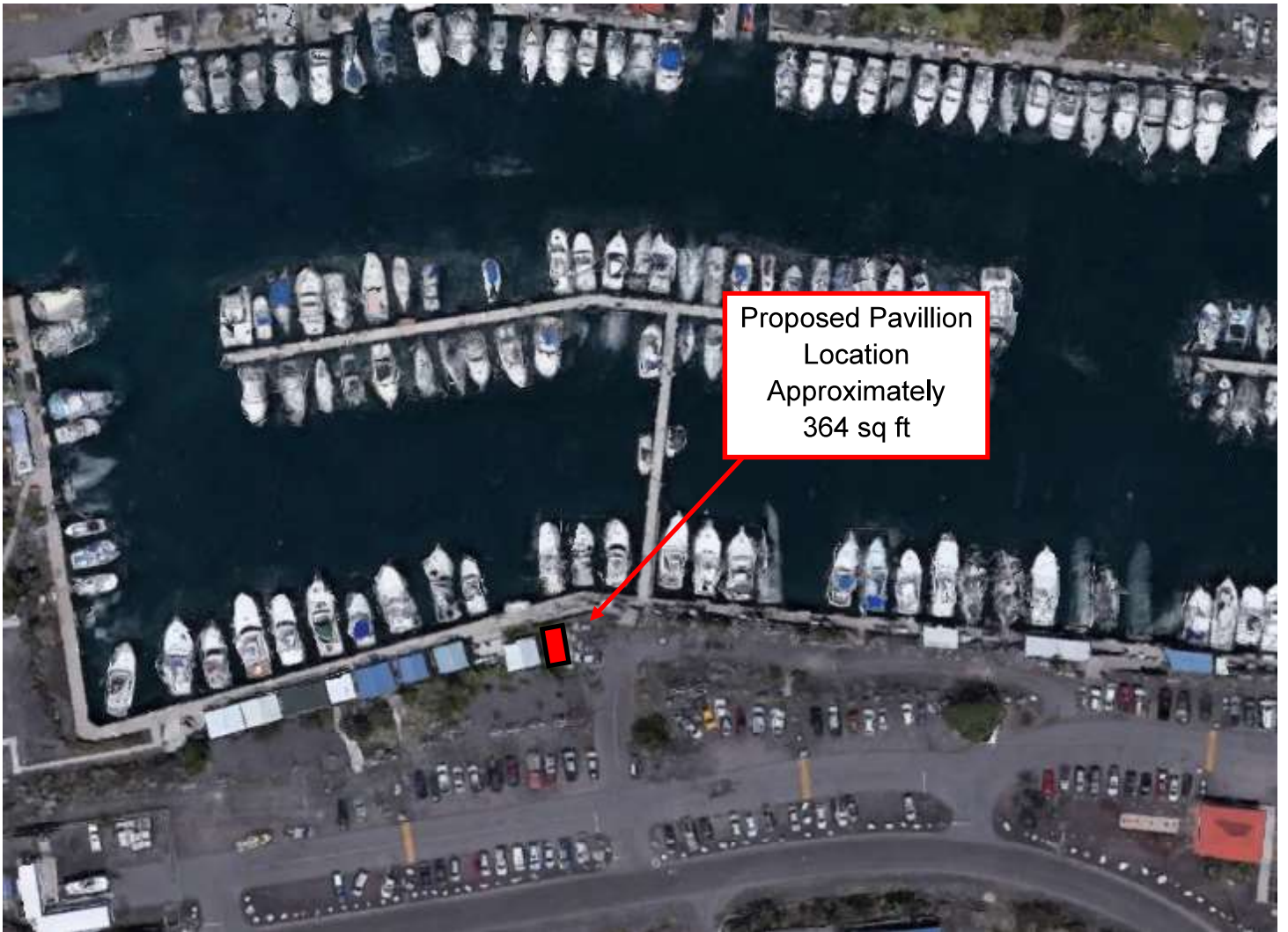


Exhibit A-2
Location of J-23 Corp. Pavillion
Honokohau Small Boat Harbor



Proposed Pavillion
Location
Approximately
364 sq ft

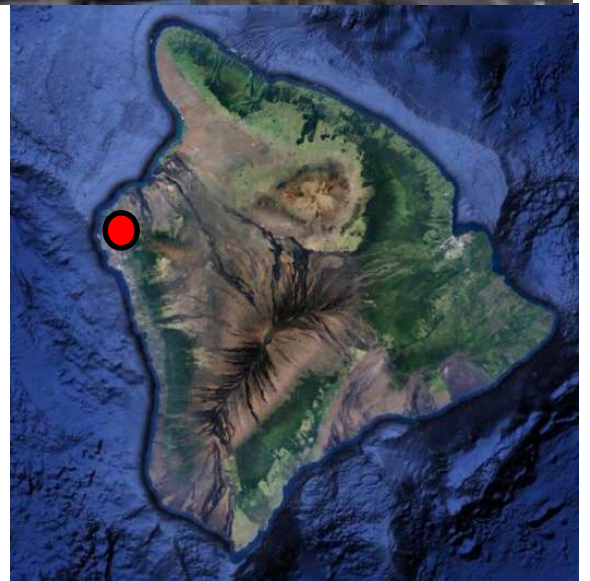


Exhibit B-1 Plans For Pavilion Honokohau Small Boat Harbor



DRAWING INDEX

NO.	DESCRIPTION	DATE
01	ARCHITECTURAL SITE PLAN - PAVILION	
02	STRUCTURAL SITE PLAN	
03	MECHANICAL PLAN	
04	ELECTRICAL PLAN	
05	PLUMBING PLAN	

DIRECTORY

ARCHITECT: **Nicholson**
 DESIGNER: **Justin C. Ballance**
 PROJECT MANAGER: **Justin C. Ballance**
 ADDRESS: **1000 KALANANĀHUI DRIVE, SUITE 100, HONOLULU, HI 96813**
 PHONE: **(808) 551-1111**
 FAX: **(808) 551-1111**

Department of Land and Natural Resources Division of Boating and Ocean Recreation PLAN REVIEW:

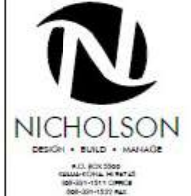
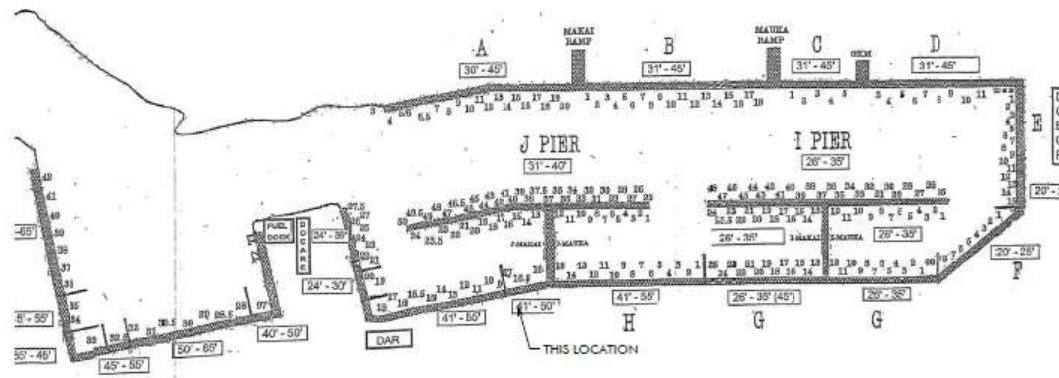
- Approved Approved, as noted
 Rejected Revise & Resubmit

By: *JCB* Date: 9/21/23

Corrections, comments or approval of plans shall not relieve the contractor from other local, state, federal or other agency regulations or permit conditions. This review is for general conformance with engineering design guidelines. The contractor is responsible for confirming all dimensions, quantities, fabrication requirements, and coordination with all other trades.

SITE PLAN

HONOKŌHAU SMALL BOAT HARBOR KAILUA-KONA, HAWAII



PROPOSED PAVILION FOR:
HONOKOHAU H-17
 74-4575 KALANANĀHUI DRIVE, KAILUA-KONA, HI 96740
 T/W E: (808) 408-003-0000

NO.	DATE	DESCRIPTION

ARCHITECT: **Nicholson**
 DESIGNER: **Justin C. Ballance**
 PROJECT MANAGER: **Justin C. Ballance**
 ADDRESS: **1000 KALANANĀHUI DRIVE, SUITE 100, HONOLULU, HI 96813**
 PHONE: **(808) 551-1111**
 FAX: **(808) 551-1111**

SHEET: **T01**
 TOTAL SHEETS: **05/04/2023**
 DRAWN BY:

Exhibit B-1

Exhibit B-2 Plans For Pavilion Honokohau Small Boat Harbor



ENLARGED SITE PLAN
1" = 40'



NICHOLSON
DESIGN • BUILD • MANAGE

P.O. BOX 5502
HONOLULU, HI 96805
808-531-1337 FAX #
808-531-1337 ALT.



DAVID S. BALLOU
LICENSED PROFESSIONAL ARCHITECT
No. 13195
CASH FOR LIFE
EXP. 4/30/2024

This work was prepared by me or under my supervision and construction of the project will be under my observation.

PROPOSED PAVILION FOR:
HONOKOHAU H-17
74,429 KANALANI'OLE PARKWAY, KANILAKOHA, HI 96740
TEL: (877) 4-606-605.0000

REVISION	NO.	DATE	DESCRIPTION

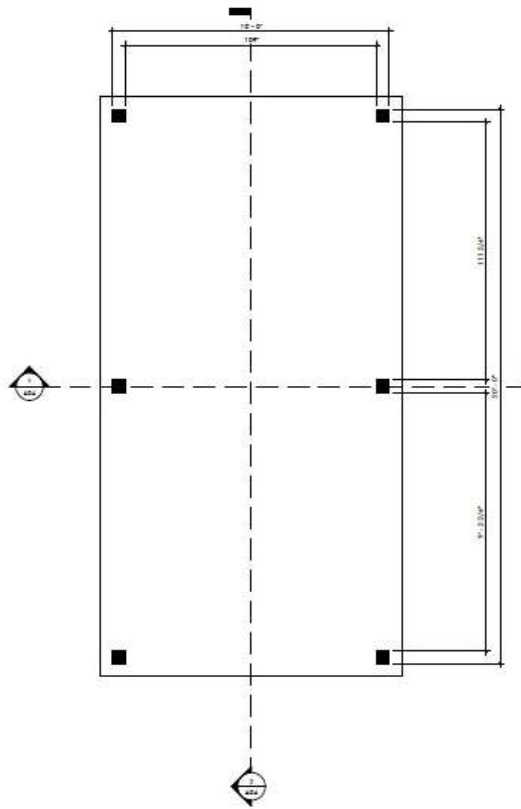
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© NICHOLSON SITE PLAN

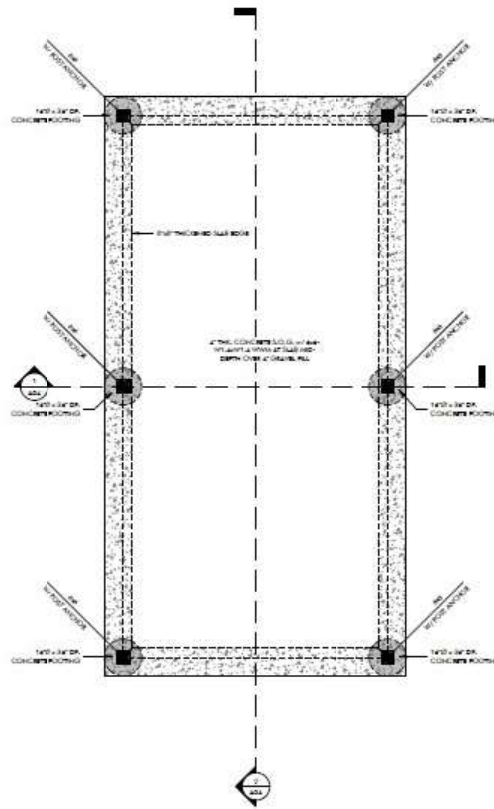
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DATE:	05/14/2023
SCALE:	AS SHOWN

Exhibit B-2

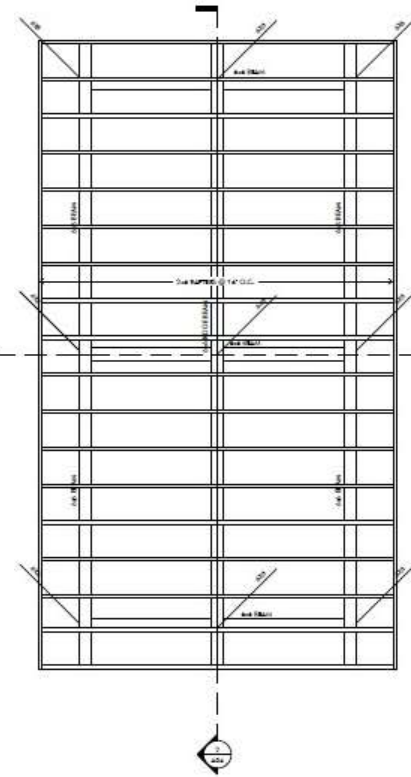
Exhibit B-3 Plans For Pavilion Honokohau Small Boat Harbor



1 FLOOR PLAN
1/8" = 1'-0"



2 FOUNDATION PLAN
1/8" = 1'-0"



3 ROOF FRAMING PLAN
1/8" = 1'-0"



NICHOLSON
DESIGN • BUILD • MANAGE



This work was prepared by me or under my supervision and construction of this project will be under my observation.

PROPOSED PAVILION FOR:
HONOKOHAU H-17
74-019 KONA LAKE PARKWAY, KAILUA-KONA, HI 96740
TAX # 037-4-008-000-0000

REVISIONS:
NO. DATE DESCRIPTION

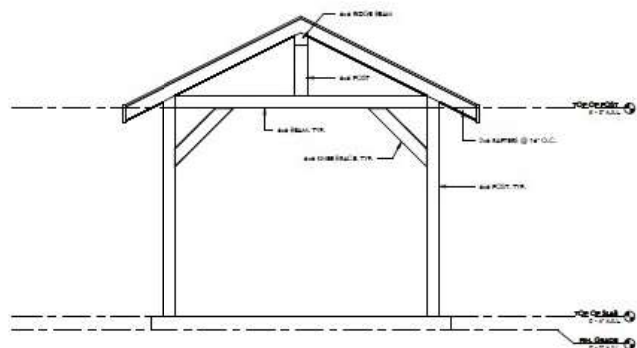
SCALE BAR

NO. OF SHEETS

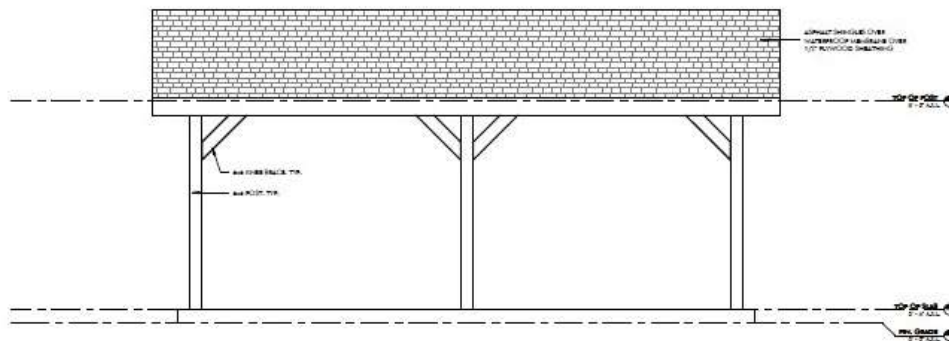
DATE: **A02**
DRAWN BY: _____
CHECKED BY: _____
DESIGNED BY: _____
PROJECT: _____

Exhibit B-3

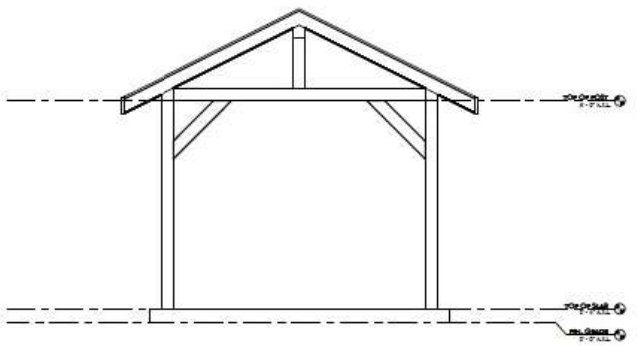
Exhibit B-4 Plans For Pavilion Honokohau Small Boat Harbor



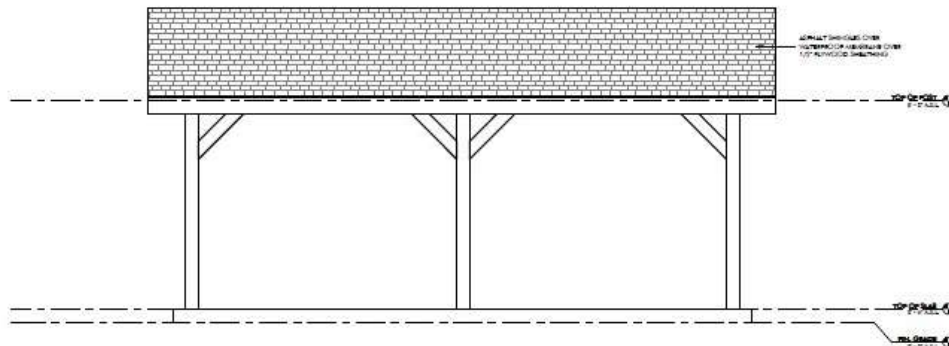
1 NORTH ELEVATION
1/2" = 1'-0"



2 EAST ELEVATION
1/2" = 1'-0"



3 SOUTH ELEVATION
1/2" = 1'-0"



4 WEST ELEVATION
1/2" = 1'-0"



ALL RIGHTS RESERVED
HONOLULU, HAWAII
808-521-1313
808-521-1332 Fax



This work was prepared by me or under my supervision and construction of this project will be under my observation.

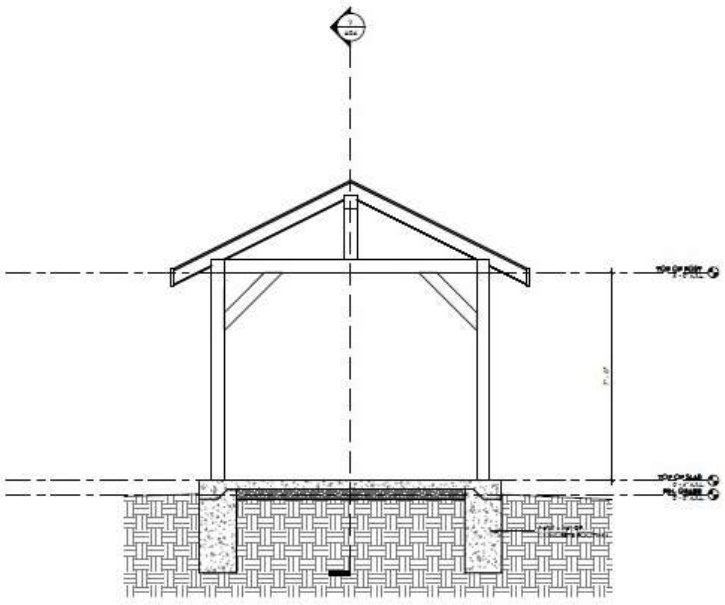
PROPOSED PAVILION FOR:

HONOKOHAU H-17
744 POKUWAIWAI PARKWAY, HAWAIIAN, HI 96740
TEL: (808) 4-098-0000

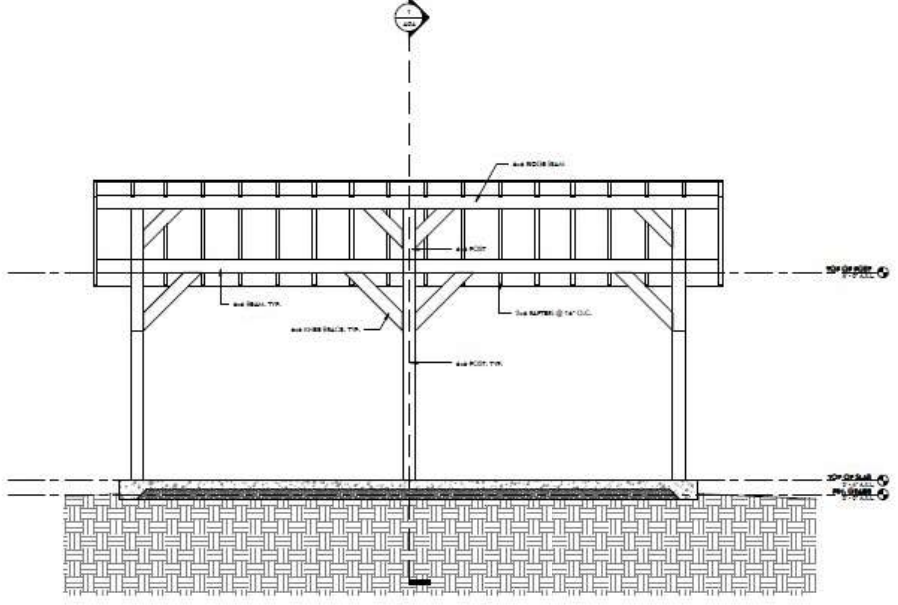
NO.	DATE	DESCRIPTION

PROJECT INFORMATION	
Sheet:	A03
Drawn:	06/27/23
Check:	08/08/23
Scale:	AS SHOWN

Exhibit B-5 Plans For Pavilion Honokohau Small Boat Harbor



1 CROSS SECTION
1/8" = 1'-0"



2 LONGITUDINAL SECTION
1/8" = 1'-0"



PROPOSED PAVILION FOR:
HONOKOHAU H-17
74-429 KULUWAHUA FERRYWAY, KULUWAHUA, HI 96740
TANK: 037-4-008-000-0000

REVISION:	NO.	DATE	DESCRIPTION:
SCALE: 1/8" = 1'-0"			
DRAWING NUMBER:			
DATE:	A04		SCALE:

Exhibit B-5