

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

February 9, 2024

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

PSF No.: 23KD-066

Kauai

Issuance of Revocable Permit to Raymond Keahi for Maintenance and Landscaping  
Purposes, Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-009:010.

APPLICANT:

Raymond Keahi, a single man.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Kapaa Town situated at Kapaa, Kawaihau, Kauai,  
identified by Tax Map Keys: (4) 4-5-009:010, as shown on the attached map labeled  
**Exhibit A.**

AREA:

0.156 acre, more or less.

ZONING:

State Land Use District: Urban  
County of Kauai CZO: SPA-A

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:

Vacant and unencumbered.

CHARACTER OF USE:

Maintenance and Landscaping purposes.

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

\$40.00 per month.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See **Exhibit B.**

DCCA VERIFICATION:

Applicant is not operating a business and, as such, is not required to register with DCCA.

JUSTIFICATION FOR REVOCABLE PERMIT (IF APPLICABLE):

At this time, staff believes that a month-to-month tenancy for maintenance purposes is the appropriate disposition since no other parties have expressed interest to utilize/lease the subject area. In addition, the potential revenue to be generated by a lease for maintenance uses may not be sufficient to justify the investment of staff time and resources required to conduct a public auction for a sale of lease of the property.

REMARKS:

At its meeting of May 27, 1976, the Board of Land and Natural Resources (Board) approved the issuance of Revocable Permit (RP) No. 5274 to Michael R. Salling, for landscaping purposes, from September 1, 1976, to August 28, 2009.

Applicant Keahi is the owner of an abutting parcel and wishes to obtain a permit to maintain and landscape the property at his own expense, for the good of the surrounding neighborhood.

The following State and County of Kauai (COK) agencies were consulted on this action with the results indicated:

| Agency:                                     | Comment:                     |
|---|------------------------------|
| <b>State Agencies:</b>                      |                              |
| Office of Hawaiian Affairs (OHA)            | No Response by Suspense Date |
| State Historic Preservation Division (SHPD) | No Response by Suspense Date |
| <b>County Agencies:</b>                     |                              |
| COK Department of Public Works              | No Response by Suspense Date |
| COK Planning Department                     | No Response by Suspense Date |

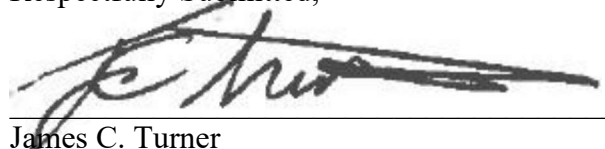
It is the belief of the Land Division that the intended use would result in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such, staff believes that the proposed use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, 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. Based on the testimony and facts presented, find that approving the revocable permit, under the conditions and rent forth herein, would serve the best interests of the State.
3. Authorize the issuance of a revocable permit to Raymond C. Keahi, covering the subject area for maintenance and landscaping purposes 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,



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James C. Turner  
Land Agent

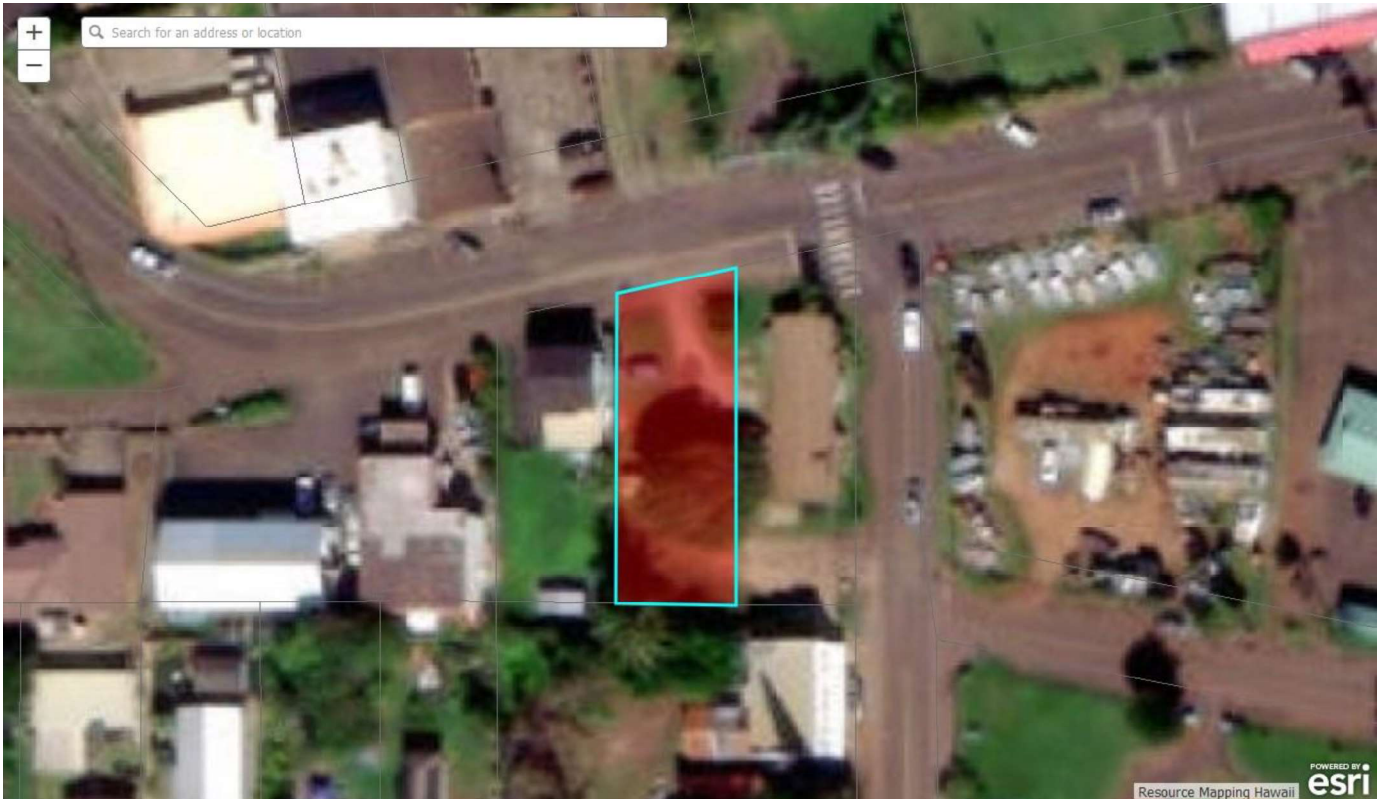
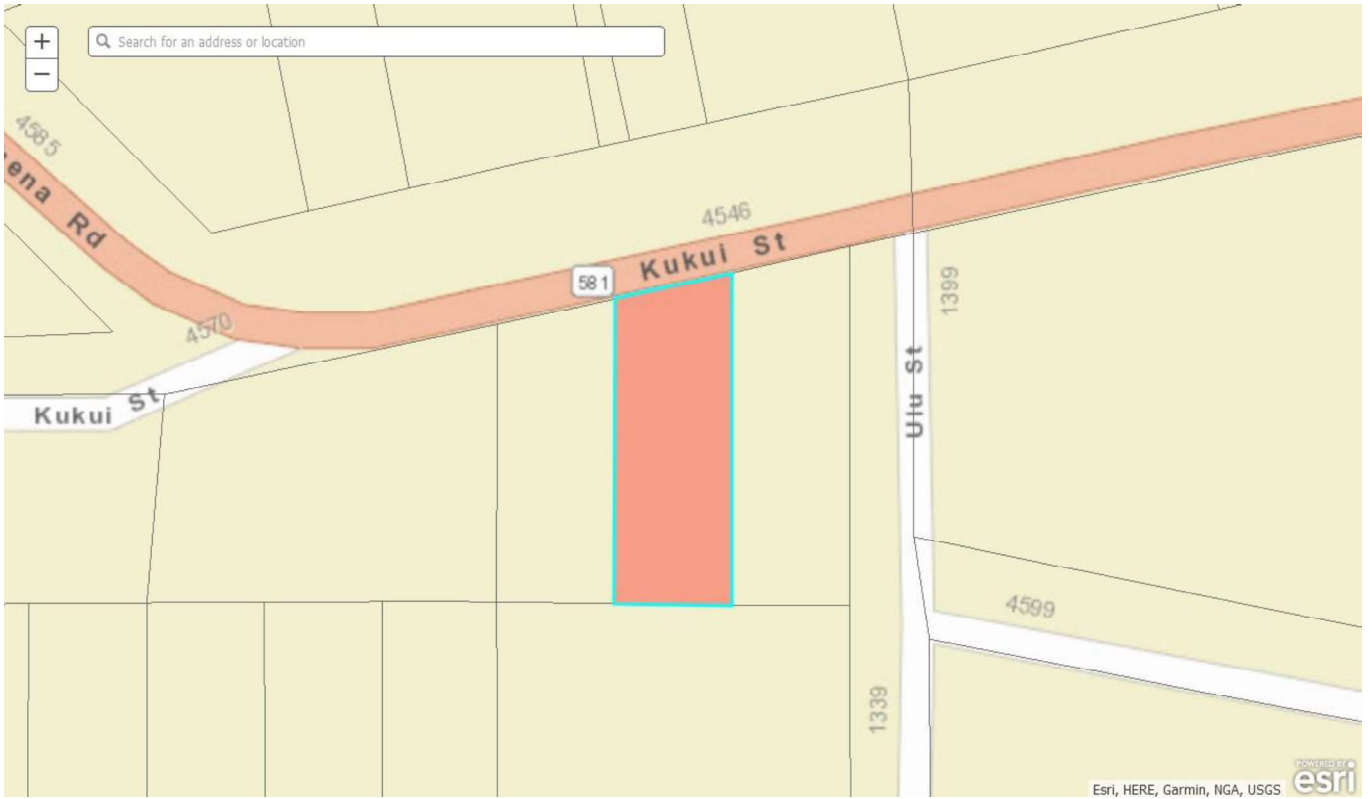
APPROVED FOR SUBMITTAL:



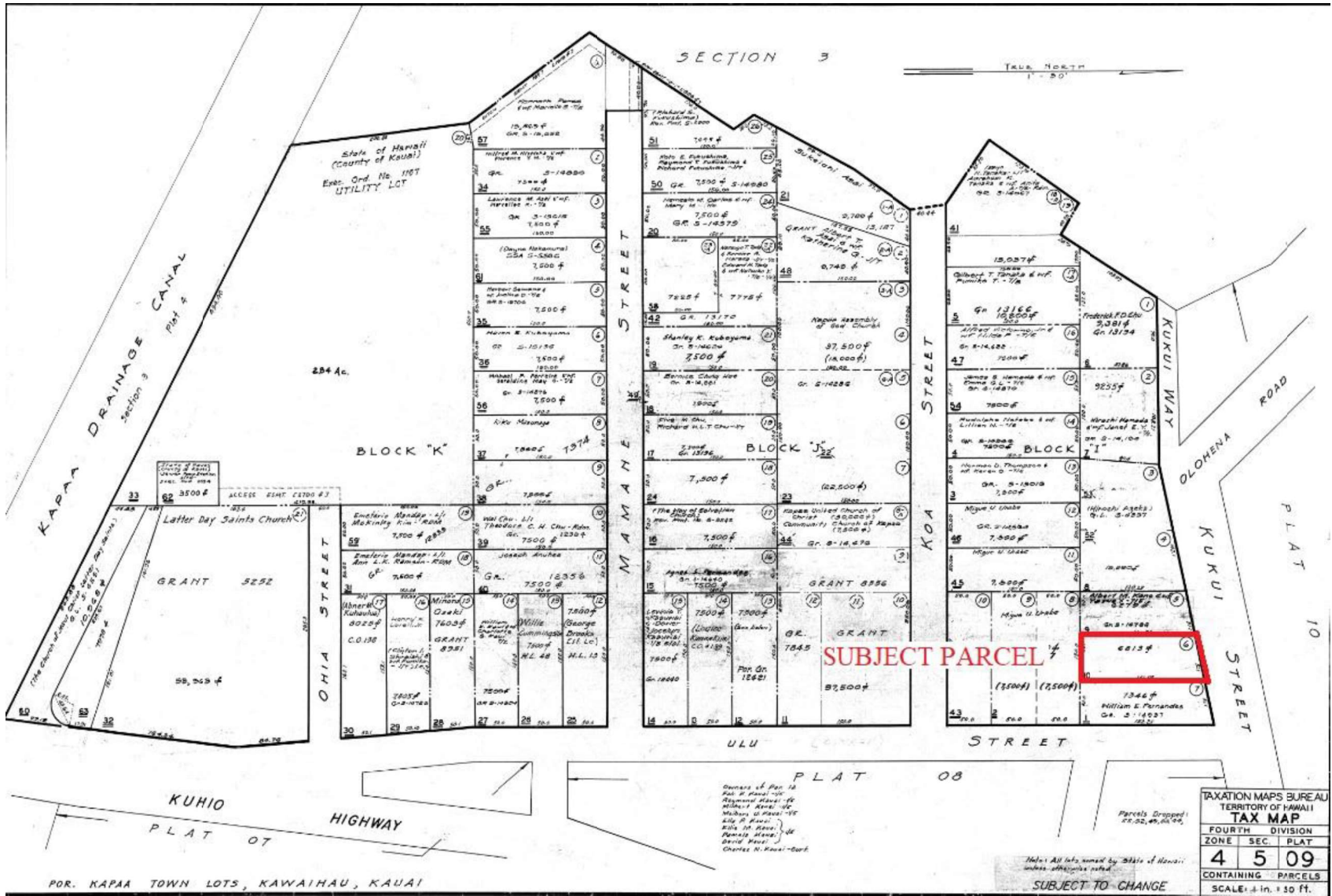
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Dawn N. S. Chang, Chairperson





**EXHIBIT A**



POR. KAPAA TOWN LOTS, KAWAIHAU, KAUAI

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



DAWN N. S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII'  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

3060 Eiwa Street, Room 208  
Lihue, Hawaii 96766  
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February 9, 2024

## EXEMPTION NOTIFICATION

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

|   |  |
|---|--|
| <b>Project Title:</b>                       | Issuance of Revocable Permit to Raymond Keahi for Maintenance and Landscaping Purposes   |
| <b>Project / Reference No.:</b>             | 23KD-066.  |
| <b>Project Location:</b>                    | Kapaa, Kawaihau, Kauai, Tax Map Keys: (4) 4-5-009:010  |
| <b>Project Description:</b>                 | Issuance of Revocable Permit for Maintenance and Recreational Purposes.  |
| <b>Chap. 343 Trigger(s):</b>                | Use of State Land.   |
| <b>Exemption Class No. and Description:</b> | In accordance with Hawaii Administrative Rule Section 11-200.1-15 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, which states, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing.", and Part 1, Item 27, which states the "Maintenance of lands and waters to remove weeds, brushes, grass and other unwanted vegetation," and Item 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." |

**EXHIBIT B**

**Cumulative Impact of Planned Successive Actions in Same Place Significant?:**

No. Staff believes there are no cumulative impacts involved with the issuance of Revocable Permit.

**Action May Have Significant Impact on Particularly Sensitive Environment?:**

No. There are no sensitive environmental issues involved with the issuance or Revocable Permit.

**Analysis:**

The proposed action is an issuance of a Revocable Permit for maintenance and landscaping purposes. Applicant has no intentions of altering the land in any way other than cutting back existing brush. As such, staff believes that the proposed disposition would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

**Consulted Parties:**

Office of Hawaiian Affairs, State Historic Preservation Division, County of Kauai Department of Public Works, County of Kauai Planning Department.

**Recommendation:**

It is recommended that the Board find 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.