

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-051  
RPS- 7509  
Kauai

Cancellation of Revocable Permit No. S-7509, Bank of Hawaii, Lot 88-A and 88-B-1, Hanapepe Town Lots, 1st Series, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-005:049.

REQUEST:

Cancellation of Revocable Permit (RP) No. S-7509.

LEGAL REFERENCE:

Sections 171-6, -55 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands, Lot 11-B, Hanapepe Town Lots, 1st Series, Hanapepe, Waimea, Kauai, identified by Tax Map Key: (4) 1-9-005:049, as shown on the attached map labeled Exhibit A.

AREA:

0.4520 acre, more or less.

ZONING:

State Land Use District: Urban  
County of Hawaii CZO: Commercial

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:

Currently encumbered under RP S-7509 to Bank of Hawaii (BOH) for business purposes.

CHARACTER OF USE:

Business purposes.

CANCELLATION DATE:

Cancellation effective date of March 31, 2024.

REMARKS:

The subject State property is a 0.4520 acre (approximately 19,672 square feet) lot in Hanapepe town. The property is commercially zoned and in close proximity to retail stores, art galleries, gift shops and cafes in the area.

BOH has been at this property since 1944 under a series of long-term leases and RPs. BOH was under a 30-year general lease (GL) 3842 from 1964 to 1994. Upon expiration of GL 3842, RP S-6946 was issued and remained until 2010. On November 22, 2010, the Board of Land and Natural Resources (Board) approved the reissuance of a large number of revocable permits statewide to update insurance and other provisions to protect the State's interests. As a part of that process, RP S-6946 to BOH was replaced by RP S-7509.

On October 12, 2001, agenda item D-4, the Board approved a 10-year lease auction for business purposes. On October 23, 2020 item D-3, the prior Board action was amended and the lease term was changed from 10 to 30 years.

Since 2010, the Board has approved the continuation of the RP every year on a month-to-month basis.

On May 9, 2023, BOH emailed the Kauai District Land Office (KDLO) requesting cancellation of its RP. BOH provided KDLO with a Phase I Environmental Site Assessment (Phase I ESA) dated November 28, 2022 as required by the terms and conditions of RP S-7509. No recognized environmental condition was identified in the Phase I.

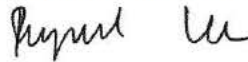
BOH will remove any industry related items and trade fixtures.

An inspection of the property was performed on June 23, 2023 with no evidence of any use other than for a bank. The building and surrounding premises were clean. See attached Exhibit B.

RECOMMENDATION: That the Board:

1. Authorize the cancellation of Revocable Permit No. S-7509 to Bank of Hawaii, Permittee, in the manner specified by law;
2. Authorize the retention of all sums heretofore paid or pledged under Revocable Permit No. S-7509 to be applied to any past due amounts;<sup>1</sup> and
3. Terminate the permit and all rights of Permittee and all obligations of the Permitter effective as of March 31, 2024, provided that any and all obligations of the Permittee which have accrued up to said effective date or which are stated in the lease to survive termination shall endure past such termination date until duly fulfilled, and further provided that Permitter reserves all other rights and claims allowed by law.

Respectfully Submitted,



---

Reynold Lee  
Land Agent

APPROVED FOR SUBMITTAL:



---

Dawn N. S. Chang, Chairperson *et*

---

<sup>1</sup> No past due amounts owing as of the date of writing this submittal.





Subject Property



Exhibit A

State of Hawai'i  
DLNR, Land Division

**INSPECTION REPORT**  
**Intensive Ag/Special Livestock/Pasture/Commercial Timber**  
**FINAL INSPECTION**

**General Information**

Document Number: GLS 7509 Character of Use Business/Commercial  
Inspection Date: 6/23/23 Inspection Time: 1:00 p m. Land Agent: Reynold Lee

**TENANT INFORMATION**

Name: Bank of Hawaii Home Phone: \_\_\_\_\_  
Address: P. O. Box 2900 Business Phone: \_\_\_\_\_  
Honolulu, HI. 96846 Fax: \_\_\_\_\_  
Contact Person: Arlene Dezellem Contact Phone: [REDACTED]

**SITE INFORMATION**

TMK: (4) 1-9-005: 049 Area: .4520 acres, more or less  
Site Address: 3764 Hanapepe Rd. Hanapepe, HI. 96716

**FISCAL INFORMATION**

ITEM	NOT APPLICABLE	CURRENT = COMPLIANCE	DEFAULT = NON-COMPLIANCE
Rent		X	
Liability Insurance		X	
Fire Insurance		X	
Bond		X	
Mortgage	X		

**Exhibit B**

State of Hawai'i  
DLNR, Land Division

**ANNUAL INSPECTION REPORT**  
**Intensive Ag/Special Livestock/Pasture/Commercial Timber**

**File Review**

**LICENSES/PERMITS/CONSENTS**

ITEM	DLNR Approval Docs in File			COMMENTS/NOTES/LISTS
	N/A	YES	NO	
Removal of Minerals/Waters	X			
Prehistoric/Historic Remains	X			
Cutting/Removal of Trees	X			
Hazardous Material Storage/Use	X			
Subletting	X			
Improvement Construction Buildings	X			
Improvement Construction Other structures	X			
Conservation Plan	X			

**Field Inspection**

ITEM	CRITERIA FOR COMPLIANCE	MEETS COMPLIANCE			COMMENTS/NOTES
		N/A	YES	NO	
Subletting	consents approved use adheres to lease purpose	X			
Buildings / Residences: roof, paint, exterior, interior	clean, sanitary, orderly suitable & well maintained DLNR construction consent adheres to completion schedule *check for hazardous materials		X		
Structures: roads, walkways, fence lines, pipelines, others	cross check w/ conservation plan clean, sanitary, orderly well maintained adheres to completion schedule *check for hazardous materials		X		

ITEM	CRITERIA FOR COMPLIANCE	MEETS COMPLIANCE			COMMENTS/NOTES
		N/A	YES	NO	
Conservation Plan: conservation structures and plantings	adheres to plan map & schedule well maintained	X			
Premises	clean, sanitary, orderly		X		
Hazardous Material Storage / Use	controlled and adheres to consent	X			
Character of Use	adheres to lease purpose		X		
Phase 1 Environmental Site Inspection	as required in General Lease or Revocable Permit		X		
Other					



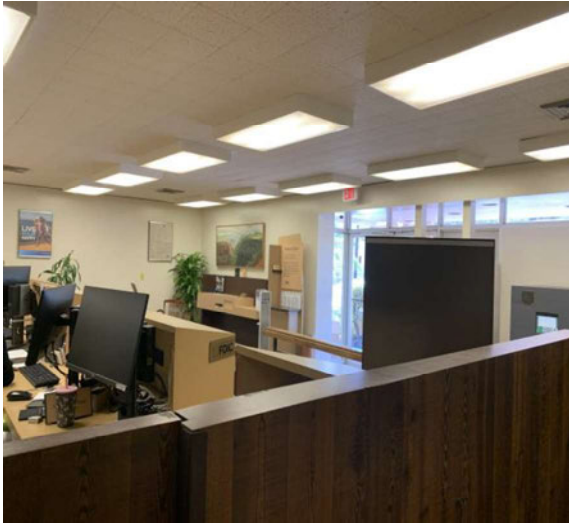


Exhibit B