

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

May 10, 2024

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

Land Board Members:

SUBJECT: Issuance of a Direct Lease to Hawaii Island Paddle Sports for Operation and to Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes at Honokohau Small Boat Harbor, Keahuolu, North Kona, Island of Hawaii, identified by tax map key: (3) 7-4-008:003 (por.)

And

Declare that, After Considering the Potential Effects of the Proposed Project as Provided by Chapter 343, HRS, and Chapter 11-200.1, 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.

APPLICANT:

Hawaii Island Paddle Sports Association

LEGAL REFERENCE:

Sections 171-16 an 171-43.1, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Honokohau Harbor, Keahuolu, North Kona, Hawaii, hereinafter referred to as the "Premises" as shown on the map labeled **Exhibit A** and attached hereto.

AREA:

13,000 square feet, more or less

ZONING:

State Land Use District: Urban
County of Hawaii: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES NO X

CURRENT USE STATUS:

Revocable Permit No. 7 issued to Hawaii Island Paddle Sports Association

CHARACTER OF USE:

For Operation and to Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes

LEASE TERM:

Ten (10) years from the commencement date of the lease.

COMMENCEMENT DATE:

To be determined by the Chairperson of the Board of Land and Natural Resources.

ANNUAL RENTAL:

\$480.00

BOND:

Equal to twice the yearly rent.

APPLICANT REQUIREMENTS:

Survey of property

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. 40, which states, “Leases of state land involving negligible or no expansion or change of use beyond that previously existing.”

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

BACKGROUND:

Hawaii Island Paddles Sports Association was first issued a revocable permit commencing September 1, 2010.

The applicant received its determination letter from the IRS exempting it from Federal income tax under Section 501 (c)(3) effective January 1, 2022.

At its meeting on September 29, 2023, item J-2, staff provided an informational briefing to the Board on DOBOR’s non-profit rent policy, which categorizes its non-profit permittees into the following four (4) categories: Community Mission, Contributes to DLNR’s Mission, Statutory, and Benefits a Specific Group. The Board asked for staff to return with recommendations regarding the reconsideration of rent for several permittees at the Honokohau Small Boat Harbor.

At its meeting on January 26, 2024, as Item J-4, the Board approved with amendments the reconsideration of rent under Revocable Permit No. 7 to Hawaii Island Paddle Sports Association, as Permittee, for Operation and Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes, Keahuolu, North Kona, Hawaii, Tax Map Key: (3) 7-4-008:003 (por.). The result of this approval allowed Hawaii Island Paddle Sports Association’s annual rent to be lowered to \$480.00.

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. Subject to the Applicant fulfilling all of the Applicant requirements listed above, authorize the issuance of a direct lease to Hawaii Island Paddle Sports Association covering the subject area 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 (non-profit) lease document form, as may be amended from time to time;
 - B. Should Applicant propose any future improvements upon the leasehold property that triggers Hawaii Revised Statutes (HRS) Chapter 343 review, Applicant shall be responsible for compliance with HRS Chapter 343, as amended;
 - C. Review and approval by the Department of the Attorney General; and
 - D. 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 – Location Map

EXEMPTION NOTIFICATION

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

Project Title:	Issuance of a Direct Lease to Hawaii Island Paddle Sports for Operation and to Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes at Honokohau Small Boat Harbor, Keahuolu, North Kona, Island of Hawaii, identified by tax map key: (3) 7-4-008:003 (por.)
Project / Reference No.:	N/A
Project Location:	Honokohau Small Boat Harbor, Keahuolu, North Kona, Island of Hawaii, identified by tax map key: (3) 7-4-008:003 (por.)
Project Description:	Issuance of a Direct Lease to Hawaii Island Paddle Sports for Operation and to Maintain a Hawaiian Style Halau for Permittee's Meetings, Storage of Solo or Duo Canoes, Kayaks, General Equipment and Staging Area for Race Events Purposes
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s).:	In accordance with Section 11-200.1-15, Hawaii Administrative Rules 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. 40, which states, "Leases of state land involving negligible or no expansion or change of use beyond that previously existing."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	None. The actions will not be different from what is already existing.
Action May have Significant Impact on Particularly Sensitive Environment?	The requested area is a portion of the Honokohau Small Boat Harbor that is visited by the community, tourists, and commercial operators and is impacted by human activity. Staff believes there would be no significant impact to sensitive environmental or ecological receptors.
Analysis:	Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.
Consulted Parties:	None
Recommendation:	It is recommended that the Board find that 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.

Exhibit A
Hawaii Island Paddlesports Association
Honokohau Small Boat Harbor

