

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

November 8, 2024

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

Statewide

Annual Renewal of Revocable Permits Statewide (See **Exhibit A** for list of Revocable Permits)

and

Declare Projects Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules

HRS CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Hawaii Administrative Rules (HAR) § 11-200.1 and the Exemption List for the Department of Land and Natural Resources concurred by the Environmental Council on November 20, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Class No. 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 44 that states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." An Exemption Notice is attached as **Exhibit B**.

LEGAL REFERENCE:

Hawaii Revised Statutes (HRS) § 171-13, 171.55 as amended

BACKGROUND:

Pursuant to §171-55, HRS, the Board may allow revocable permits (RPs) to continue on a month-to-month basis for additional one-year periods. The prior purpose of seeking the Board's approval collectively has been to synchronize the terms of all RPs to a single calendar year period.

DISCUSSION:

The Division of State Parks (Parks) currently administers five general categories of RP's:

**Item E-3**

No.	Revocable Permit Category	Total
1	Commercial Tours and Recreational Activities	9
2	Commercial Partnerships	10
3	Non-Commercial Recreational Activity	1
4	Eleemosynary - Nonprofit Camp Activity	2
5	Agricultural	1

Some RPs have been established to evaluate the commercial viability of service and establish a baseline income generating opportunity, such as the parking and entry fee collection RPs. These have also been undergoing adaptations including the imposition of capacity limits and advanced reservations, making them appropriate for RP continuation. There are other RPs where staff is working on establishing a competitive process – or provide a value added but fiscally intangible public recreational service.

There are currently twenty-three (23) active RPs Parks is asking to be renewed. Of the attached RP list, there are ten (10) commercial partnerships that DSP intends to continue and consider placing out for either an Invitation for Bid or a Request for Proposals in 2025. These RPs would be terminated upon execution of new competitively bid concession contracts. Two of the nonprofit camps are being reviewed for long term leases. No changes are proposed for the agricultural and non-commercial recreational activity RP's. DSP intends the nine (9) long-standing commercial tours and recreational activities RP's to also be transitional.

### Kaua'i

**Nāpali Coast State Wilderness Park and Polihale State Park** (Commercial tour and recreational activities): These RPs include three inflatable boat and three kayak landing permits for commercial guided tours at Nu'alolo Kai and Miloli'i, within Nāpali Coast State Wilderness Park and Polihale State Park. These RPs were approved in 2005 but have a much more complex and long-standing use related to permits that were initiated in the 1980's. DSP is considering a process to determine how to establish a competitive process for commercial tours and recreational activities without having to determine the arbitrary criteria associated with capacity for the transitory use of the ocean and park land areas.

**Kōke'e and Waimea Canyon State Parks** (Commercial partnership): Republic Parking Northwest, Inc. furnishes attendants and management service for the parking lot areas. Subject to future competitive bid process.

(Eleemosynary – nonprofit camp activity): There are two permits for nonprofit use of recreational residence and group camp facilities. The Board previously approved the issuance of long-term leases for five nonprofit organizations. Staff continues to work with Ka 'Imi Na'auauo Hawai'i Nei Institute and Kaua'i Christian Fellowship on lease options.

### O'ahu

**Ahupua'a 'O Kahana State Park (Agricultural):** A relatively small agricultural RP is issued to Erlinda Villanueva as a continuation of traditional practices and is for the cultivation and sale of ti leaf.

**Ka'ena Point State Park (Commercial recreational activity):** The YMCA operates outdoor recreational activities under its RP which covers land adjacent to Camp Erdman. This is a portion of the State Park and other than the use of the land for the YMCA programs, there is consideration for adding public camping within this area in the future.

(Non-Commercial recreational activity) The Hawai'i Climbing Coalition manages a series of vertical climbing routes on unencumbered State land with access through DSP land at Ka'ena Point State Park. The coalition manages the climbing routes and carries liability insurance, one of the conditions of the RP. This is a unique and adaptive method to allow for recreational rock climbing on State land.

**Diamond Head State Monument (Commercial partnership):** The Bottling Group, LLC operates beverage vending machines near the main comfort station.

Pro Park, Inc. manages a reservation system, furnishes attendants and management services for the interior crater parking lot areas.

Pro Park, Inc. also manages commercial transport (taxi/trolley/rideshare) for Diamond Head State Monument under a second RP, in addition to their Parking and Entry management RP. Subject to future competitive bid process or may be subsumed by parking and entry concession to same vendor.

**Nu'uuanu Pali State Wayside (Commercial partnership):** Diamond Parking Service provides attendants, assists visitors with answering questions on pay stations and fees, collects cashless payments, monitors vehicles, and provides management services for the parking lot area.

### Maui

**'Iao Valley State Monument (Commercial partnership):** Republic Parking Northwest, Inc. manages a reservation system, furnishes attendants and management services for the parking lot area.

**Mākena State Park (Commercial partnership):** Diamond Parking Services, LLC furnishes attendants, collects cashless payments, and provides management services for the parking lot areas.

**Wai'ānapanapa State Park (Commercial partnership):** Republic Parking Northwest, Inc. manages a reservation system, furnishes attendants and management services for the parking lot areas.

Hawai'i

**Hāpuna Beach State Recreation Area** (Commercial partnership): Republic Parking Northwest, Inc. furnishes attendants, collects cashless payments, and provides management services for the parking lot areas.

**‘Akaka Falls State Park** (Commercial partnership): Diamond Parking Service provides parking attendants, collects cashless payments, and provides management services for the parking lot area.

**Kealakekua Bay State Historical Park** (Commercial tour and recreational activities): Two commercial kayak tour companies are authorized to launch from Nāpō‘opo‘o Wharf, provide guided transit across Kealakekua Bay and then land at Awili Landing at Ka‘awaloa with patrons. DSP has completed the Master Planning and EIS that includes a provision to have the Nāpō‘opo‘o landing and the rental of kayaks and other vessels launching and landing at Ka‘awaloa be outsourced for management via a request for proposal process or direct negotiation. DSP is working with a community nonprofit to determine their future capacity to subsume management prior to DSP initiating an RFP process.

DSP critically relies on special fund revenue to supplement allocations of general funds. Currently special funds make up over 60% of total funding. RPs are one of the elements DSP uses to help determine monetary value of assets, to collect data for better management, to collect revenue, and to allow for value added recreational use. DSP will continue to apply adaptive management methods to determine long-term revenue streams while generating revenue to offset continually rising operating costs.

Staff recommends that the Board approve the continuation of the revocable permits as described in this submittal.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed dispositions as provided by Chapter 343, Hawai'i Revised Statutes and Chapter 11-200.1-15, Hawai'i Administrative Rules, the dispositions will probably have minimal or no significant effect on the environment and are therefore exempt from the preparation of an environmental assessment.
2. The Board finds that approving the revocable permits, including its conditions and rent, will serve the best interests of the State.

Approve the continuation of 23 Revocable Permits listed in Exhibit A, including amendments for some of the revocable permits and the titles, pursuant to the terms above which, by this reference, are incorporated

herein, on a month-to-month basis and for a one-year period ending December 31, 2025, except for permits that are in arrears of rental payments for more than 60 days; all three permittees will continue to close on Sundays at Kealahou Bay.

3. Reserve and delegate to the Chairperson the right and authority at any time to review and adjust the rental charges for any of the revocable permits listed in Exhibit A anytime from and after January 1, 2025, where such adjustments will best serve the interests of the State.

Respectfully submitted,



Curt A. Cottrell  
Administrator  
Division of State Parks

APPROVED FOR SUBMITTAL:



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

ATTACHMENTS:

- Exhibit A – DSP Revocable Permit Master List 2025
- Exhibit B – Exemption Notification



DIVISION OF STATE PARKS  
REVOCABLE PERMIT MASTER LIST 2025

Doc. No	Location	Permittee Name	Tax Map Key	Character of Use	Permit Effective Date	Current Rent	Comments
<b>O'AHU</b>							
SP0531	Diamond Head State Monument	Bottling Group, LLC	(1) 3-1-042:006 por	Vending Machine	1/1/15	45% of gross sales	Projected IFB in 2025
SP0470	Diamond Head State Monument	Pro Park, Inc.	(1) 3-1-042:006 por.	Management of commercial transport.	1st Amnd. 12/8/23	99% of Net Operating Income	Projected IFB in 2025
SP0543	Diamond Head State Monument	Pro Park, Inc.	(1) 3-1-042:006 por.	Management of commercial transport.	1/1/24	99% of Net Operating Income	Projected IFB in 2025
SP0509	Ka'ena Point State Park	Young Men's Christian Association of Honolulu (nonprofit)	(1) 6-9-004:005	Outdoor Recreational Activities	1/1/13	\$150.00	Negotiating long term lease
SP0530	Ka'ena Point State Park	Hawai'i Climbing Coalition (nonprofit)	(1) 6-9-004	Hiking	1/9/15	Gratis	
SP0058	Ahupua'a o Kahana State Park	Erlinda Villanueva	(1) 5-2-002 por. 1	Agriculture	4/1/08	\$90.00	
SP0544	Nu'uuanu Pali Lookout	Diamond Parking Services, LLC	(1) 1-9-007 (por)	Parking & Entry Fees Collection: Operating, Maintaining, Managing the Parking Lot	3rd Amnd. 1/1/23	70% of Gross Receipts	Projected IFB in 2025
<b>HAWAII</b>							
SP0517	Kealahou Bay State Historical Park	Adventures in Paradise, Inc.	(3) 8-1-011:006, 010, 011 & (3) 8-2-004:015 por.	Commercial tour and recreational activities	5/21/13	\$5 per passenger or 5% of gross (whichever is greater)	
SP0518	Kealahou Bay State Historical Park	Kona Boys, Inc.	(3) 8-1-011:006, 010, 011 & (3) 8-2-004:015 por.	Commercial tour and recreational activities	4/1/13	\$5 per passenger or 5% of gross (whichever is greater)	

DIVISION OF STATE PARKS  
REVOCABLE PERMIT MASTER LIST 2025

Doc. No	Location	Permittee Name	Tax Map Key	Character of Use	Permit Effective Date	Current Rent	Comments
SP0545	'Akaka Falls State Park	Diamond Parking Services, LLC	(3) 2-8-011:018 por.	Fee collection and visitor management	2nd Amnd. 8/8/21	90% of net operating income	Projected IFB in 2024
SP0408	Hāpuna Beach SRA	Republic Parking Northwest, Inc.	(3) 6-6-002:031, 035 por.	Fee collection and visitor management	1st Amnd. 11/1/20	99% of net operating income	Projected IFB in 2024
<b>KAUAI</b>							
SP0004	Nāpali Coast SWP - Nu'alolo Kai	Clancy Greff dba NaPali Zodiac & A Nā Pali Eco Adventures, Inc.	(4) 1-4-001:07	Commercial tour and recreational activities	1/1/05	\$5 per person or 5% of gross (which ever is greater)	
SP0005	Nāpali Coast SWP - Nu'alolo Kai	Na Pali Sea Tours, Inc.	(4) 1-4-001:07	Commercial tour and recreational activities	1/1/05	\$5 per person or 5% of gross (which ever is greater)	
SP0044	Nāpali Coast SWP -Miloli'i	NaPali Kayak, Inc.	(4) 1-4-001:07	Commercial Kayak Landings	1/1/05	\$5 per person or 5% of gross (which ever is greater)	
SP0045	Nāpali Coast SWP -Miloli'i	Napali Outfitters dba Kayak Kaua'i	(4) 1-4-001:07	Commercial Kayak Landings	1/1/05	\$5 per person or 5% of gross (which ever is greater)	
SP0046	Nāpali Coast SWP -Miloli'i	Rick Haviland, Outfitters Kaua'i, LTD.	(4) 1-4-001:07	Commercial Kayak Landings	1/1/05	\$5 per person or 5% of gross (which ever is greater)	
SP8701	Nāpali Coast SWP - Nu'alolo Kai	Lady Ann Cruises, Inc. / Na Pali Explorers	(4) 1-4-001:07	Commercial tour and recreational activities	1/1/05	\$5 per person or 5% of gross (which ever is greater)	



DIVISION OF STATE PARKS  
REVOCABLE PERMIT MASTER LIST 2025

Doc. No	Location	Permittee Name	Tax Map Key	Character of Use	Permit Effective Date	Current Rent	Comments
SP0189	Waimea Canyon SP/ Pu'u ka Pele Lot 13	Ka 'Imi Naaauao O Hawaii Nei (nonprofit)	(4) 1-4-002:20	Recreation-Residence	1st Amnd. 1/1/19	\$6,800 per annum	Negotiating long term lease
SP0193	Waimea Canyon SP/ Pu'u ka Pele Lot 10	Kaua'i Christian Fellowship (nonprofit)	(4) 1-4-002:041 (por)	Recreation-Residence	2nd Amnd. 1/1/19	\$5,500 per annum	Negotiating long term lease
SP0555	Kōke'e State Park and Waimea Canyon State Park	Republic Parking Northwest, Inc.	(4) 1-4-001:013, 004-002 (por)	Parking and Entry Fee Collections	1st Amnd. 11/1/20	99% of net operating income	Projected IFB in 2025
<b>MAUI</b>							
SP0500	'Iao Valley State Park	Republic Parking Northwest, Inc.	(2) 3-3-003:012, 013 (por)	Fee collection and visitor management	1st Amnd. 11/1/20	99% of net operating income	
SP0471	Wai'anapanapa State Park	Republic Parking Northwest, Inc.	(2) 1-3-005:009; (2) 1-3-006:009 (por)	Reservation System for Parking and Entry Management and Fee Collection for Parking and Entry	3/1/21	99% of net operating income	
SP0467	Mākena State Park	Diamond Parking Services, LLC	(2) 2-1-006:030 (por)	Fee collection and visitor management	3rd Amnd. 1/1/23	80% of gross	



### EXEMPTION NOTIFICATION

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

Project Title:	Annual Renewal of Revocable Permits on Kaua'i, O'ahu, Hawai'i, and Maui
Project / Reference No.:	Please see Exhibit B
Project Location:	Please see Exhibit B
Project Description:	Renew existing revocable permits for a term of one year.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s):	<p>In accordance with Hawai'i Administrative Rule Chapter 11-200.1 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred in by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to:</p> <p>HAR § 11-200.1-15(c)(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."</p> <p>Exemption List, Exemption Class 1, Exemption 7: "Operations, repair, and maintenance, of existing Department structures and facilities, including baseyards, offices, cabins, sheds, and fencing."</p> <p>Exemption List, Exemption Class 1, Exemption 51: "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."</p> <p>The annual renewal of existing revocable permits on State lands involves the continuation of existing uses on the lands. No change in use is authorized by the renewal.</p>
Cumulative Impact of Planned Successive Actions in Same Place, Over Time, Significant?	No, the requested locations have been used for the same uses since the permits were granted.
Action May Have Significant Impact on Particularly Sensitive Environment?	No.
Analysis:	The request pertains to renewing the revocable permits for Kaua'i, O'ahu, Hawai'i and Maui (Statewide). Staff believes the request would involve negligible or no expansion or change in use of the subject locations beyond that previously existing.

Consulted Parties:	Agencies listed in submittal.
Declaration	That the Board finds these projects will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.