

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

June 13, 2025

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

PSF No.: 25KD-056

Kauai

Rescind Prior Board Action as of October 12, 2001, Agenda Item D-4, and Amended on October 23, 2020, Agenda Item D-3, *Approval of Sale of Lease at Public Auction for Business/Commercial Purposes*; Set Aside to the Division of Forestry and Wildlife for Office and Storage Purposes; Lot 88-A and 88-B-1, Hanapepe Town Lots, 1st Series, Hanapepe, Waimea, Kauai, Tax Map Key: (4) 1-9-005:049.

APPLICANT:

Division of Forestry and Wildlife (DOFAW).

LEGAL REFERENCE:

Sections 171-11 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands, Lot 88-A and 88-B-1, 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 acres, 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:

Vacant and unencumbered.

PURPOSE OF SET ASIDE:

It is important that DOFAW have this parcel set aside in order to utilize the property for offices and equipment storage purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on 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 that 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,” Part 1, and Item 36 that states “Transfer of management authority over state-owned land, such as setting aside of state lands.” The subject request is a de minimis action that will probably have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-17, HAR.

REMARKS:

The subject State property is a .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.

Bank of Hawaii (BOH) had been at this property since 1964. BOH was under a 35-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 approved the reissuance of a large number of revocable permits statewide to update insurance and other provisions to protect the State’s interest. 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 of Natural Resources (Board)

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

Since 2010, The Board of Land and Natural Resources had approved the continuation of the RP every year on a month-to-month basis. On October 27, 2023, the Board approved the cancellation of the RP and BOH vacated the property on November 30, 2023. The property has been sitting vacant since.

There has been interest from a neighborhood non-profit group and the County of Kauai, but staff felt that the other DLNR divisions should have first right of refusal if full market value rent was not being considered. Due to loss of land at the DOFAW base yard in Lihue, there is a need for additional office and storage space.

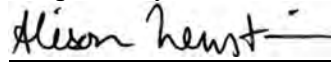
DOFAW Kauai is requesting the property to be primarily utilized as a wildland fire and emergency response building. DOFAW will store and stage emergency response equipment and tools, and the facility will be used as an emergency operations center for multiple agencies during emergency events. During non-emergency events the building will be used as offices for DOFAW and other DLNR Divisions.

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, 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. Rescind the prior Board actions of October 12, 2001, under agenda Item D-4, and October 23, 2020, under agenda item D-3.
3. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands and existing improvements to Division of Forestry and Wildlife under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - 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,



Alison Neustein
District Land Agent

APPROVED FOR SUBMITTAL:



Dawn N. S. Chang, Chairperson

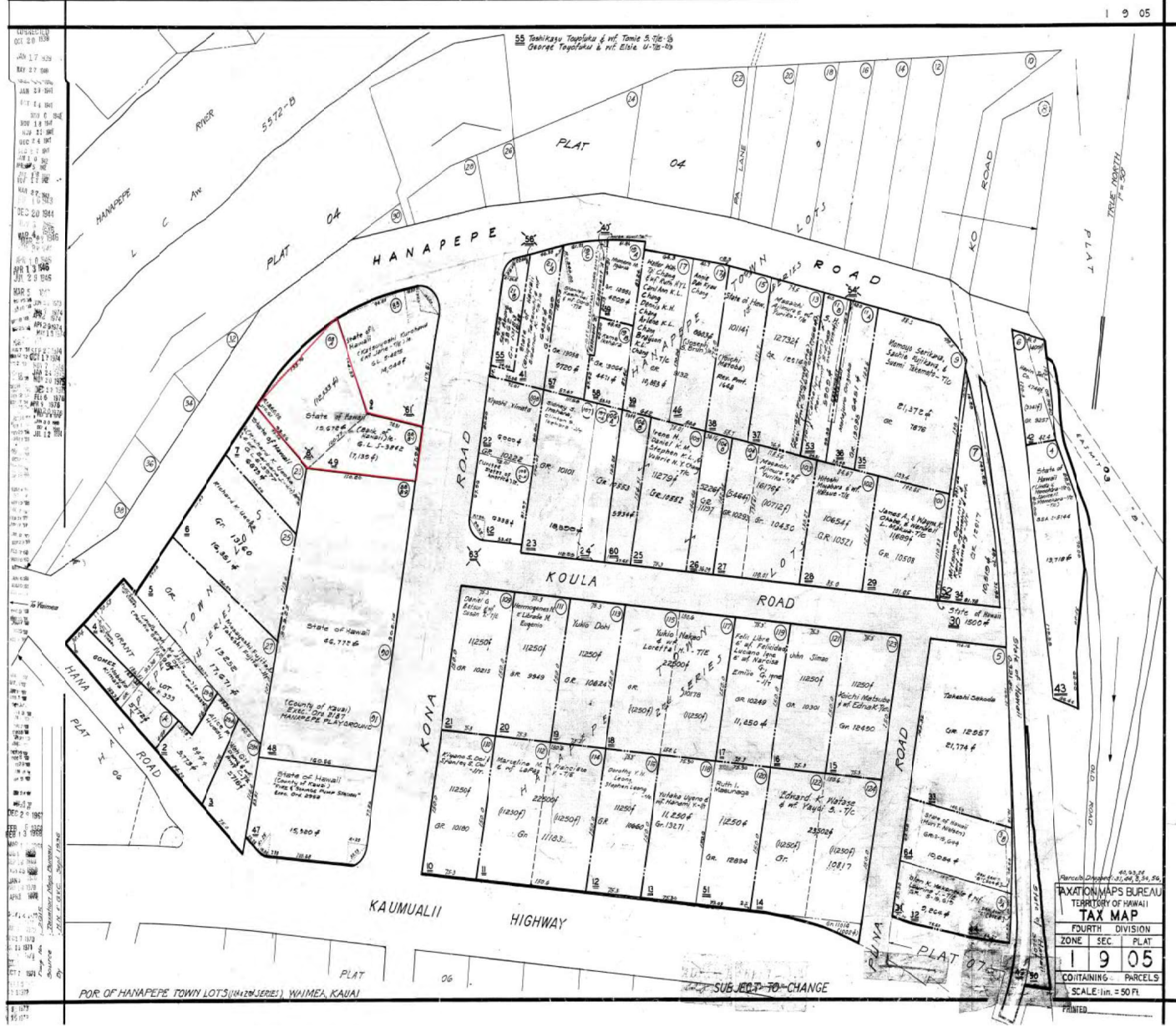


Exhibit A



Subject Property



Exhibit A