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

August 22, 2014

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

PSF No.: 09KD-158

Kauai

Cancellation of Revocable Permit No. S-3842 and Issuance of Revocable Permit to Kapaa Ki-Aikido Club Inc. for Clubhouse Purposes, Wailua, Kawaihau (Puna), Kauai, Tax Map Key:(4) 4-1-009:018.

APPLICANT:

Kapaa Ki-Aikido Club Inc., a Hawaii non-profit organization.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government (Crown) lands of Wailua situated at Wailua House Lots, 4th Series, Kawaihau (Puna), Kauai, identified by Tax Map Key: (4) 4-1-009:018, as shown on the attached map labeled Exhibit A.

AREA:

0.358 acres, more or less.

ZONING:

State Land Use District:	Urban
County of Kauai CZO:	Open

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:

Encumbered by Revocable Permit No. S-3842, Wailua Young Peoples Club, Permittee, for Clubhouse purposes. The Revocable Permit is on a month-to-month basis.

CHARACTER OF USE:

Clubhouse purposes.

COMMENCEMENT DATE:

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

MONTHLY RENTAL:

$480.00 per annum (Minimum Rent Policy for New Dispositions, May 13, 2005)

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

See Exemption Notification attached below as Exhibit B.

In accordance with the "Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council (Docket 91-EX-2, December 4, 1991), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing [HAR § 11-200-8(a)(1)]." Exemption Class No. 4, which states, "Minor alterations in the conditions of land, water or vegetation [HAR § 11-200-8(a)(4)]".

DCCA VERIFICATION:

Place of business registration confirmed:	YES
Registered business name confirmed:	YES
Applicant in good standing confirmed:	YES

REMARKS:

Wailua Young People's Club was formed back in the 1950's as an eleemosynary organization whose primary function was to serve the community. Members came from the surrounding area. The Wailua Young People's Club no longer exists.

The last inspection was done on July 11, 2014. The premises and building maintained and are in good condition. See attached photos.

The Kapaa Ki-Aikido Club, Inc. has been managing the site, paying the rent and insurance. They are a non-profit organization and listed with the County of Kauai as a community service organization and associated with the Hawaii Ki Federation. They collect dues from membership to pay for rent, insurance, utilities, etc. Instructors are volunteers and draw no salary.

The Hawaii Ki Federation. is a domestic 501(c)(3) nonprofit corporation. The Kapaa Ki-Aikido Club is in good standing with the Hawaii Ki Federation. See Exhibit C.

The Land Board is authorized to lease State lands to qualifying eleemosynary (charitable) organizations at nominal rent.

When considering rent amount for eleemosynary organizations, the Land Board may therefore set the rent by direct negotiation at an amount below fair market rental (i.e., nominal rent).

On May 13, 2005, the Land Board established a Minimum Rent Policy that stated, among other things, that the minimum rent to a charitable organization be no less than $480 per year. In order to have a standard nominal rent for qualifying non-profit tenants, staff generally recommends rent be set at $480 per year.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Comments were solicited from:

State Agencies:

DOH	No environmental health concerns
OHA	No comments

County Agencies

Planning Dept.	No objections
Parks & Recreation	Recommend approval
Dept. of Water	No objections

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, 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. Authorize the cancellation of Revocable Permit No. S-3842.

3. Authorize the issuance of a revocable permit to Kapaa Ki-Aikido Club, Inc. covering the subject area for clubhouse 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 (non-profit) 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,

Marvin Mikasa
Acting District Land Agent

APPROVED FOR SUBMITTAL:

William J. Aila, Jr., Chairperson

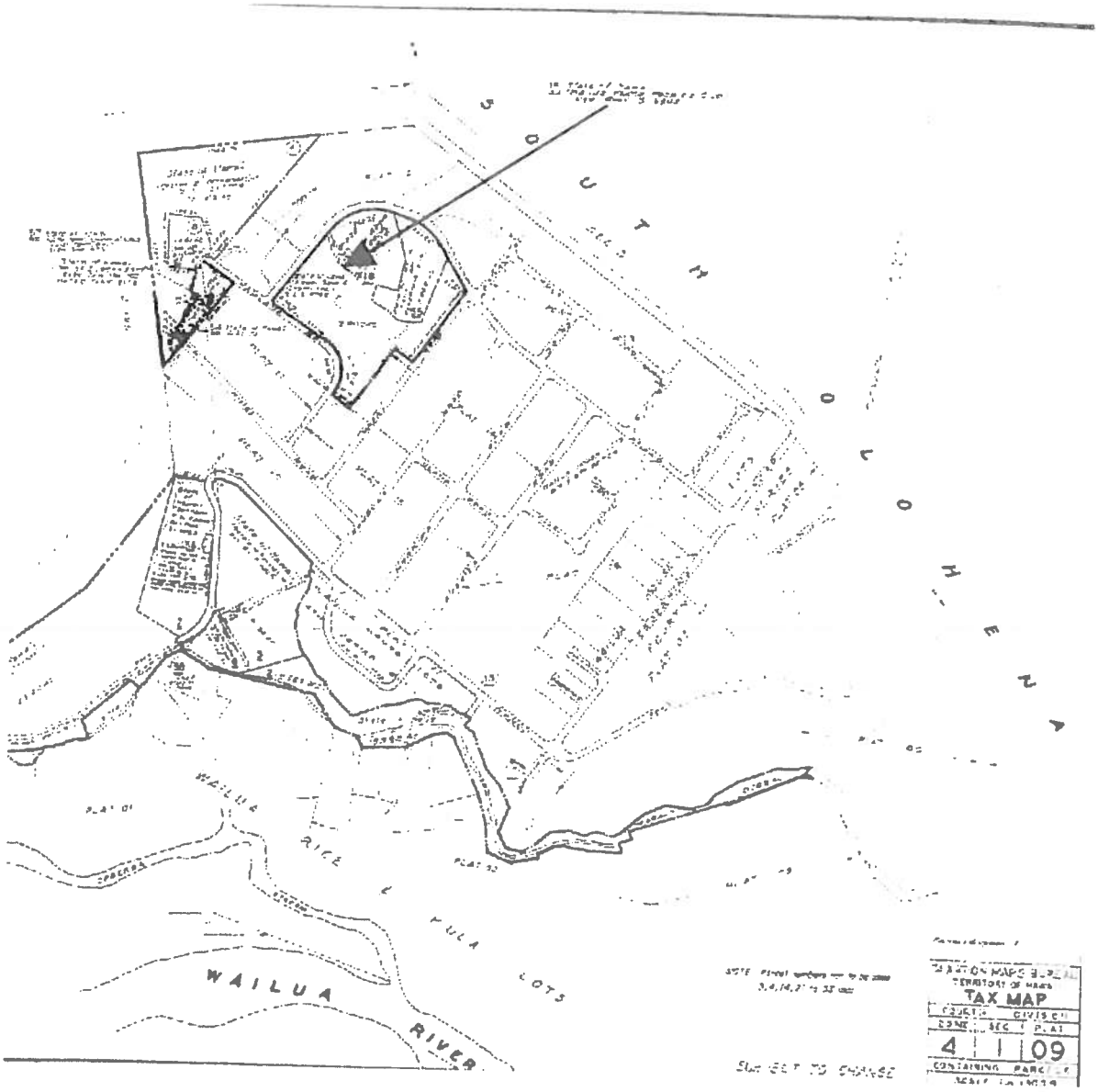

EXHIBIT "A"

NEIL ABERCROMBIE
GOVERNOR OF HAWAII

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

JESSE K. SOUKI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION
regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Cancellation of Revocable Permit No. S-3842 and Issuance of Revocable Permit to Kapaa Ki-Aikido Club, Inc.
Project / Reference No.:	PSF 09KD-158
Project Location:	Wailua, Kawaihau (Puna), Kauai
Project Description:	Issuance of Revocable Permit to Kapaa Ki-Aikido Club, Inc. for clubhouse purposes.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with the "Exemption List for the State of Hawaii, Department of Land and Natural Resources, as Reviewed and Concurred Upon by the Environmental Council (Docket 91-EX-2, December 4, 1991), the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing [HAR § 11-200-8(a)(1)]." Exemption Class No. 4, which states, "Minor alterations in the conditions of land, water or vegetation [HAR § 11-200-8(a)(4)]"
Exemption Item Description From Agency Exemption List:	Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing.

EXHIBIT B

Recommendation:

The subject area has been used for clubhouse purposes on the subject property from the 1950's. It is recommended that the Land Board find that issuance of a Revocable Permit for aquaculture purposes is exempt from Chapter 343, HRS, as it will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

William J. Aila, Jr., Chairperson

7/28/14
Date

HAWAII
KI
FEDERATION

Department of Land & Natural Resources
Land Division, ATTN: Marvin Mikasa
State Office Building
3060 Eiwa St.
Lihue, HI 96766

RE: Status of Kapaa Ki-Aikido Dojo

Dear Mr. Mikasa,

I am writing on behalf of my long time student and colleague, Mr. Lloyd Miyashiro, the Head Instructor of the Kapaa Ki-Aikido Dojo.

As the Chief Instructor of Hawaii Ki Federation, I wish to certify that Mr. Miyashiro, the Kapaa Ki-Aikido organization, and all of his children and adult students are members in good standing of the Hawaii Ki Federation, which is the official Hawaii State organization of Ki and Aikido, representing the Shinshin Toitsu Aikido Kai world wide organization, headquartered in Japan.

Hawaii Ki Federation is an IRS approved 501C-3 non-profit organization. I include our letter of certification from the IRS herewith.

Thank you for your support and attention to this matter.

Aloha,

Christopher Curtis
Chief Instructor
Hawaii Ki Federation
February 18, 2014

cc: Lloyd Miyashiro

Christopher Curtis
Chief Instructor

PO Box 724
Wailuku, Hawaii
96793

EXHIBIT "C"

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR 23 2005

Employer Identification Number:

DLN:

HAWAII KI FEDERATION
PO BOX 880607
PUKALANI, HI 96768-0000

Contact Person:
THOMAS C KOESTER
Contact Telephone Number:

Public Charity Status:
509(a)(2)

Dear Applicant:

Our letter dated May 2002, stated you would be exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code, and you would be treated as a public charity, rather than as a private foundation, during an advance ruling period.

Based on the information you submitted, you are classified as a public charity under the Code section listed in the heading of this letter. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, (800) 829-3676. Information is also available on our Internet Web Site at www.irs.gov.

If you have general questions about exempt organizations, please call our toll-free number shown in the heading between 8:30 a.m. - 5:30 p.m. Eastern time.

Please keep this letter in your permanent records.

Sincerely yours,

Lois G. Lerner

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Letter 1050 (DO/CG)

EXHIBIT "C"

DCCA State of Hawaii

TO: Central
FROM: KDLO
No.: 09KD-158

Website URL http://hbe.ehawaii.gov/documents

Business Information

MASTER NAME	KAPAA KI-AIKIDO CLUB, INC.
BUSINESS TYPE	Domestic Nonprofit Corporation
FILE NUMBER	228692 D2
STATUS	Active
PURPOSE	TO EDUCATE THE PEOPLE OF AND VISITORS TO, THE ISLAND OF KAUAI IN THE PRACTICE OF SHINSHIN TOITSU AIKIDO (AIKIDO WITH MIND AND BODY UNIFIED) AND SHINSHIN TOITSU DO (THE WAY OF MIND/BODY UNIFICATION) AS TAUGHT BY THE FOUNDER, KOICHI TOHEI.
PLACE INCORPORATED	Hawaii UNITED STATES
INCORPORATION DATE	Mar 1, 2010
MAILING ADDRESS	6585 WAIPOULI RD KAPAA, Hawaii 96746 UNITED STATES
TERM	PER
AGENT NAME	LLOYD D. MIYASHIRO
AGENT ADDRESS	6585 WAIPOULI RD KAPAA, Hawaii 96746 UNITED STATES

Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2013	Feb 13, 2013	Processed
2012	Feb 28, 2012	Processed
2011	May 13, 2011	Processed

Officers

NAME	OFFICE	DATE
MIYASHIRO,LLOYD	P	Jan 1, 2011
MIYASHIRO,MARY FRANCES	D	Jan 1, 2011
RELACION,RENE	D	Jan 1, 2011
TAKAKI,JAMES	D	Jan 1, 2011

EXHIBIT "C"

State of Hawai`i
DLNR, Land Division

INSPECTION REPORT
Clubhouse

General Information

Document Number: RPS 3842 **Character of Use** Clubhouse – Dojo for Aikido Club

Inspection Date: July 11, 2014 **Inspection Time:** 12:15pm **Land Agent:** Marvin Mikasa

TENANT INFORMATION

Name: Wailua Young Peoples Club **Home Phone:**

Address: **Business Phone:**

Kapaa, Hawaii 96746 **Fax:**

Contact Person: Lloyd Miyashiro **Contact Phone:**

SITE INFORMATION

TMK: (4) 4-1-009:018 **Area:** 0.3581 acres, more or less

Wailua, Kawaihaua, Kauai

FISCAL INFORMATION

ITEM	N/A	CURRENT= COMPLIANCE	DEFAULT = NON-COMPLIANCE	COMMENTS
Rent		X		
Liability Insurance		X		
Fire Insurance		X		
Bond		X		

FIELD INSPECTION RESULTS (refer to Field Inspection Worksheet)

ITEM	N/A	COMPLIANCE	NONCOMPLIANCE	COMMENTS
Subleases	X			
Improvements	X			
Premises		X		
Character of Use		X		

Field Inspection Worksheet
Commercial/Industrial/Resort/Other Business

File Review

LICENSES/PERMITS/CONSENTS

ITEM	DLNR Approval Docs in File N/A	YES	NO	COMMENTS/NOTES/LISTS
Subletting	X			attach copy of list or map if applicable
Improvement Construction Buildings	X			note deadlines for % completion
Improvement Construction Other structures/misc.	X			note deadlines for % completion

Field Inspection

ITEM	SATISFACTORY? N/A	YES	NO	COMMENTS/NOTES
SUBLEASES Consents approved	X			
Use adheres to lease purpose		X		
IMPROVEMENTS Buildings/Residences: roof		X		Outside needs new painting
paint		X		
exterior		X		
interior		X		
Structures: roads	X			
walkways	X			
fencelines		X		
others				
PREMISES clean, sanitary, orderly		X		
appropriate storage/use of hazardous materials		X		
CHARACTER OF USE adheres to lease purpose		X		

ITEM	SATISFACTORY? N/A	YES	NO	COMMENTS/NOTES
Other:				