

NEIL ABERCROMBIE  
GOVERNOR



DARRYLL D. M. WONG  
MAJOR GENERAL  
ADJUTANT GENERAL

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STATE OF HAWAII  
**DEPARTMENT OF DEFENSE**  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAII 96816-4495

SEP 24 2014

Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

KAUAI

Approval to Issue a Use Permit to the Kauai Police Department for access to, and partial use of, the Hawai'i Army National Guard (HIARNG) Hanapepe Armory Building 1 located at 1-3460 Kaumuali'i Highway, Hanapepe, Kaua'i, 96716-0689, TMK 1-8-08: 077.

APPLICANT / LESSEE:

The Kauai Police Department (KPD), a County agency, whose principal place of business is 3990 Kaana Street, Lihue, Hawai'i, 96766-1268.

LEGAL REFERENCE:

Section 171-11 and 55, Hawai'i Revised Statutes.

LOCATION AND TAX MAP KEY:

Hawai'i Army National Guard, Hanapepe Armory Building 1, 1-3460 Kaumuali'i Highway, Hanapepe, Kauai, 96716-0689, identified by Tax Map Key: 4<sup>th</sup> Division, TMK no. (4) 1-8-08: 077.

AREA:

Area of Use: Approximately 100 square feet. Located within the Hanapepe Armory (see building floor plan – Attachment A).

Parking: Unreserved parking is available in the adjacent 118 stall parking lot for the KPD staff of this single-person office.

Only 10 stalls are used by other building occupants on an ongoing basis during normal working days (Monday through Friday). Most stalls are filled only during the National Guard's "drill weekends".

The KPD will utilize 2-parking stalls, one for use by the assigned patrol officer and one, on-occasion, by the supervising sergeant.

ZONING:

State Land Use District: Urban  
County of Kauai: General Commercial

**ITEM M-6**

LAND TITLE STATUS:

Ceded Land

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 3300, setting aside the land to the Department of Defense for a Hawai'i Army National Guard Armory Site.

CHARACTER OF USE:

The space will be used by patrol officers (1 per shift) assigned to the area to complete documentation of cases and other reports generated during the course of their duties. The office will not be open to the public (e.g. for police interviews, etc.).

The officers will have 24/7 access to the office space.

TERM:

One (1) year term on a month-to-month basis, renewable annually, for a maximum of five (5) years.

COMMENCEMENT DATE:

To be determined by the Adjutant General.

RENT:

No Rent will be assessed as the presence of the police officers within the facility serves as a deterrent to crime in the area, benefiting the Hawai'i National Guard (HING) and the community.

CHAPTER 343, HRS – ENVIRONMENTAL ASSESSMENT:

Pursuant to the Hawaii Administrative Rules (HAR) Environmental Impact Statement Rules of the Department of Health, State of Hawai'i, HAR section 11-200-8(a) (exempt classes of action), this disposition is exempt from requirements regarding preparation of an environmental assessment, as otherwise required by Chapter 343, Hawai'i Revised Statutes, relating to Environmental Impact Statements, because after consultation with other outside agencies and individuals having jurisdiction and expertise, the proposed action is not a departure from the exempt class of action found within the general Exemption Class #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), found at HAR section 11-200-8(a)(1).

DCCA VERIFICATION:

Place of business registration confirmed:	N/A
Registered business name confirmed:	N/A
Applicant in good standing confirmed:	N/A

REMARKS:

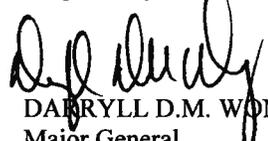
As there are no permanent KPD facilities in the Hanapepe area, use of the office space in the Hanapepe Armory provides the Hawaii Army National Guard and the public the assurance of a police presence in the community, which also serves as a deterrent to crime in the area. In addition, availability of the office space precludes the need for the police officers to return to the Waimea Police Station (approx. 6-miles away) to complete their work.

Therefore, the DOD is willing to allow the Kauai Police Department the use of said property within the Hanapepe Armory on a "non-interference" basis, for this purpose only.

RECOMMENDATION: That the Board:

- A. 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 have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
- B. Consent to the Use Permit between the Department of Defense HIARNG and the Kauai Police Department, subject to any applicable conditions cited above which are by this reference incorporated herein and further subject to the following:
  1. Review and approval by the Department of the Attorney General; and
  2. Such other terms and conditions as may be prescribed by the Adjutant General to best serve the interests of the State.

Respectfully submitted,

  
DARRYLL D.M. WONG  
Major General  
Hawai'i National Guard  
Adjutant General

APPROVED FOR SUBMITTAL:

  
WILLIAM J. AILA, JR.  
Chairperson and Member

