

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

November 30, 2012

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

File No.: SRP6696

O'ahu

Issuance of Revocable Permit to Young Men's Christian Association for Outdoor Recreation Purposes, Ka'ena Point State Park Reserve, Ka'ena, Waialua, O'ahu, Tax Map Key: (1) 6-9-004:005

APPLICANT:

Young Men's Christian Association of Honolulu, a Hawai'i Non-profit Corporation.

LEGAL REFERENCE:

Sections 171-55 and other applicable sections of Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Ka'ena, Waialua, O'ahu, identified by Tax Map Key: (1) 6-9-004:005, as shown on the attached map labeled Exhibit A.

AREA:

6.170 acres, more or less, subject to confirmation by the Department of Accounting and General Services, Survey Division.

ZONING:

State Land Use District: Conservation  
County of Honolulu CZO: P-1

**ITEM E-2**

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:

Encumbered by Governor's Executive Order 4141 setting aside land for State Park Reserve purposes to be under the control and management of the State of Hawai'i, Department of Land and Natural Resources, Division of State Parks.

CHARACTER OF USE:

Outdoor recreation purposes

MONTHLY RENTAL:

To be determined by staff or independent appraisal establishing fair market rent, subject to review and approval by the Chairperson.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

State Parks believes that this project will have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment under Chapter 343, Hawaii Revised Statutes (HRS) and §11-200-8(a)(1), Hawaii Administrative Rules (HAR) and within exemption Class 1, Numbers 2 and 6 of the State Parks Exemption List which exempts operations involving negligible or no expansion or change of use beyond that previously existed within park boundaries [February 5, 1976].

REMARKS:

On January 1, 1990, the Board of Land and Natural Resources (Board), through the Land Division, entered in to a revocable permit with the Young Men's Christian Association of Honolulu (YMCA) for the subject property which is adjacent to property owned by the YMCA known as Camp Erdman.

On December 15, 2005, Governor Lingle signed Executive Order 4141 setting aside the subject property and others for park reserve purposes and by letter dated February 22, 2006, the files and management were transferred by Land Division to the Division of State Parks.

The use of the land as stated in the revocable permit was for outdoor recreational activities and the property has been used to augment the camp facility and is still being used to this day. Records indicate, however, that although the Board of approved the continuation of the revocable permit through December 31, 2006, there is no documented approval for continuing the revocable permit presently. From 2007-2011 State Park's Property Manager position was unfilled and staff believed the property was not being used.

State Parks has no imminent plans for development within the park reserve and therefore the present use of the land for outdoor recreation represents its highest and best use. The YMCA has demonstrated over the last 22 years that it is a responsible steward of the land and staff has inspected the property and finds no visible evidence of damage or non-compliance with the terms of the Department's standard provisions of the revocable permit.

Therefore, State Parks seeks the Board's approval to issue a new revocable permit under the same terms and conditions as the previous permit except for two areas: That the permittee pay a market rental rate for the use of the land and secondly, that the current revocable permit form be used.

The 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 and despite not having a continued revocable permit, the YMCA has been paying rent under the terms of the original permit and has complied with the other terms of the permit as well.

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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 issuance of a revocable permit to Young Men's Christian Association covering the subject area for outdoor recreational 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 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,



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Daniel S. Quinn  
Administrator, Division of State Parks

APPROVED FOR SUBMITTAL:



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William J. Aila, Jr., Chairperson

Exhibit A - Tax Map Key

