

State of Hawai'i
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of State Parks
Honolulu, Hawai'i 96813

February 28, 2025

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

O'ahu

Approval to Issue a Revocable Permit to Hawaii Island Art Alliance for Educational and Commercial Use Purposes, Wailoa Center, Wailoa River State Recreation Area, Hilo, Island of Hawai'i, Tax Map Key: (3) 2-2-013:003 (portion)

and

Declare the Issuance of Revocable Permit Exempt from the Requirements of an Environmental Assessment under Chapter 343, HRS and Title 11, Chapter 200.1, Hawai'i Administrative Rules

APPLICANT:

Hawaii Island Art Alliance (HIAA), a 501 C-3 Hawaii nonprofit organization, whose address is 200 Pi'opi'o Street, Hilo, Hawai'i 96720.

LEGAL REFERENCE:

Section 171-13, 55, and other applicable sections of Chapter 171, Hawai'i Revised Statutes ("HRS"), as amended.

LOCATION:

Wailoa Center, Portion of Wailoa River State Recreation Area, Hilo, Island of Hawai'i, identified by Tax Map Key: (3) 2-2-013: portion of 003, as shown on the map, outlined in red, attached as **EXHIBIT A**.

AREA:

6,000 square feet, more or less.

ZONING:

State Land Use District:	Urban
County of Hawaii Zoning Ordinance:	Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act.
DHHL 30% entitlement lands pursuant to the Hawai'i State Constitution: NO

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 2921 setting aside land for park and recreational 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:

Educational and Commercial Use Purposes – specifically allowing HIAA to conduct various exhibits, workshops, classes, and art fair at the Wailoa Center and adjacent garden area to raise funds to help support the Center.

Commercial activity will include sales of various artworks, collectible cards that feature the artist's work, and fees for workshops and seminars that align with and help to extend the cultural and educational programs of the Wailoa Center and HIAA. All revenue generated from the commercial activity will go directly into the maintenance, security, development and upkeep of the Wailoa Center and/or to the cultural and educational programs offered onsite by HIAA.

COMMENCEMENT DATE:

Upon execution of the RP.

MONTHLY RENT:

Nominal rent, (\$40 per month), plus any proceeds in excess of operating expenses shall be donated to the Wailoa Center.

METHOD OF PAYMENT:

Rental payment due monthly.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Hawai'i Administrative Rules (HAR) § 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred 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 "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 No. 40: "Leases of State land involving negligible or no expansion or change of use beyond that previously existing." See **EXHIBIT B**.

DCCA VERIFICATION:

Place of business registration confirmed: YES

Registered business name confirmed: YES

Applicant in good standing confirmed: YES

BACKGROUND

The Wailoa Center's story is one of resilience, renewal, cultural preservation, and community revitalization. Built on a site that was once devastated by the 1946 and 1960 tsunamis, this 2-story, 12-sided building with a unique circular design along Hilo's bay front was part of an effort to create a green zone and recreation area after the 1960 tsunami destroyed Hilo's Japanese settlement. Shortly after, the area was turned into a 132-acre landscaped park known as the Wailoa River State Recreation Area and the Wailoa Center is its centerpiece, essentially breathing new life into a previously ravaged area of Hilo.

From its first exhibit of sterling silver in 1967, to its most recent juried art shows, the Wailoa Center is Hawaii Island's largest venue for showcasing the work of local and international artists, attracting visitors and artists from across the island and beyond. The Center serves as a vibrant hub for cultural events, as well as exhibits of photography, paintings, quilts, fine art, contemporary crafts and more. Throughout the years, local businesses and individuals have lent their time, talent, and other resources to *mālama* the Center. The dedicated maintenance provided by a variety of entities has kept the Center in excellent shape for its age.

Since the center's inception, a single State employee has been assigned to the center's operation, so outside assistance is imperative to its sustainable operation and core functions. The center is open six days per week serving the Hilo community. All activities and exhibits are coordinated with the State Parks Wailoa Center Coordinator, making this a co-management partnership.

The Hawai'i Island Art Alliance (HIAA) was primarily formed as a support group for the Wailoa Center. Established in 2015 as a 501(c)3 non-profit organization in the State of Hawaii, HIAA's current mission is to concentrate on the support and production of a variety of cultural and educational programs at the Wailoa Center.

Annually, HIAA sponsors six to seven juried art shows, many with national participation, and covers installation costs, prizes for the artists, fees for jurors, as well as reception expenses. The Hawaii State Foundation on Culture and the Arts (SFCA) has, on numerous occasions, acquired artwork from these shows for its Art in Public Places program, providing statewide exposure and support for local artists.

HIAA also conducts classes and workshops at the Center that cater to a wide range of interests and demographics, fostering creativity, celebrating diverse perspectives, and creating opportunities for emerging talent.

HIAA's efforts support the DLNR by sustaining the Wailoa Center as a cultural hub – essentially keeping it alive and flourishing, and by maintaining the facility. HIAA covers the monthly costs for alarm surveillance and Wi-Fi that were previously funded by the State and has also provided security camera system, PA system, furniture, printer and television for the Center.

All things considered, HIAA is poised to be eligible for a month-to-month revocable permit for recreational and commercial use purposes at the Wailoa Center.

REMARKS

Although HIAA never had a designated office at the Wailoa Center, HIAA has continuously supported the Center with donations and labor over the years, in accordance with its mission. For instance, in 2017, HIAA purchased the PA system and security cameras for the Center. It also established a separate Wi-Fi account that later became the Wi-Fi for the Center. In 2020, HIAA took over the Alert Alarm Contract for the Center. It has also provided furniture, printer and television for the Center. HIAA's board members come in on a regular basis, throughout the open time, to discuss and implement educational and cultural programming at the Center.

To generate revenue for the Wailoa Center and HIAA, HIAA is requesting to utilize the Wailoa Center and adjacent garden area for its artistic and educational activities, in coordination with State Parks. HIAA would also like to expand its classes and workshops at the Center and establish an annual art fair to attract visitors and residents alike. At these events, an agreed upon percentage of fees collected shall be donated to the Wailoa Center.

State Parks has no imminent plans for further development within the Wailoa State Recreation Area and therefore, the present educational and commercial use of the requested premises represents its highest and best use.

Staff has inspected the premises and finds no visible evidence of damage or non-compliance with the standard terms and conditions of the department's revocable permit. HIAA has demonstrated that it is a responsible partner in use of the space.

Therefore, State Parks seeks the Board's approval to issue a new revocable permit to HIAA for shared and complementary use of the Center. The permittee pays the prevailing nominal rent for the use of the premises, and the permittee shall be allowed to conduct commercial activity to help further its mission and to raise funds that will be used for the maintenance, security, development and upkeep of the Wailoa Center and/or to the cultural and educational programs offered onsite by the permittee.

RECOMMENDATIONS:

That the Board of Land and Natural Resources:

1. Approve the issuance of a Revocable Permit to Hawaii Island Art Alliance, pursuant to the terms above which, by this reference, are incorporated herein.
2. Approve such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State of Hawai'i.
3. Declare that, after considering the potential effects of the issuance of the Revocable Permit as provided by Chapter 343, HRS, and Chapter 11-200.1, HAR, the issuance of the Revocable Permit will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,



CURT COTTRELL,
Administrator
Division of State Parks

APPROVED FOR SUBMITTAL:



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

Attachments:

Exhibit A – Location Map

Exhibit B – Exemption Notification, Chapter 343

Exhibit A





EXEMPTION NOTIFICATION

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

Project Title:	Revocable Permit to Hawai'i Island Art Alliance
Project / Reference No.:	TBD
Project Location:	Wailoa Center, Wailoa River State Recreation Area, See Exhibit A
Project Description:	Art based exhibits, workshops, classes and fairs.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No(s).:	<p>In accordance with Hawai'i Administrative Rule Chapter 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to:</p> <p>General Exemption, Type 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>Part 1, Item Number 40: "Leases of State land involving negligible or no expansion or change of use beyond that previously existing."</p> <p>The issuance of a revocable permit on State land involves the continuation of existing use on the land. 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 location will be used for the same use as previously existing.
Action May Have Significant Impact on Particularly Sensitive Environment?	No.
Analysis:	The request pertains to the issuance of a revocable permit for recreational and educational use purposes at the Wailoa Center, Wailoa River State Recreation Area. Staff believes the request would involve negligible or no expansion or change in use of the subject location beyond that previously existing.

Consulted Parties:	Land Division and County of Hawai'i.
Declaration	That the Board finds this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment