

Department of Hawaiian Home Lands

APPLICATION AND QUALIFICATION FORM For Revocable Permit Use of Hawaiian Home Lands

Mahalo for your interest in the Revocable Permit Pilot Program! Please review the information provided within this Application as well as the Property Descriptions and Criteria included on the DHHL Program page.

Applications must be **received** no later than:

UPDATE
4pm HST on Tuesday, December 13, 2022

Via Email: DHHL.LMDRP@hawaii.gov

In-person at:
DHHL Land Management Division
91-5420 Kapolei Parkway
Kapolei, Hawai'i 96707

Via mail: P.O. Box 1879, Honolulu, Hawai'i 96805

It is the Applicant's responsibility to ensure that the application is received by the date and time indicated through one of the methods above. It is recommended to submit the application early to ensure receipt on-time. Email submittals are strongly recommended. Applications must be complete. Incomplete applications will not be considered. It is up to the discretion of the reviewer to determine whether minor or technical clarifications or additions can be accepted after submission.

Purpose of Pilot Program

The Revocable Permit (RP) is utilized by the Department of Hawaiian Home Lands (DHHL) to grant permission to an individual or an entity to occupy and utilize Hawaiian home lands on a short-term basis. RPs are utilized by DHHL as a land management tool to provide for presence on DHHL lands thereby reducing the costs for land management related activities including but not limited to preventing trespassing, dumping, illegal activity, fires, etc.; fencing; posting and maintaining adequate signage; landscaping; etc. RPs have also added to DHHL's revenue stream, although revenue generation is usually a secondary benefit of this primarily land management tool.

In 2014, DHHL stopped issuing RPs as it undertook an evaluation of its RP program. In 2021, the Hawaiian Homes Commission (HHC) approved the roll out of a new Revocable Permit Pilot Program. This Pilot program is intended to focus on reaching out to beneficiaries, beneficiary organizations and beneficiary businesses and invite participation. Based on the feedback, adjustment, and experience from this Pilot Program, a new Revocable Permit Program will be presented to the HHC for final approval including the full roll out schedule. The purpose of this pilot is to introduce the program on a limited basis to test the new concepts and adjust before rolling out the program on a broader scale.

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Authority

The Hawaiian Homes Commission Act (HHCA) Section 204(2) and 207(c) authorize DHHL to dispose of lands for non-homestead purposes on the same terms, conditions, restrictions and uses applicable to the disposition of public lands as provided in Hawai'i Revised Statutes (HRS) Chapter 171, as amended. HRS 171-55, titled Permit, states that "Notwithstanding any other law to the contrary, the board of land and natural resources [HHC] may issue permits for the temporary occupancy of state lands or an interest therein on a month-to-month basis by direct negotiation without public auction, under conditions and rent which will serve the best interests of the State, subject, however, to those restrictions as may from time to time be expressly imposed by the board. A permit on a month-to-month basis may continue for a period not to exceed one year from the date of its issuance; provided that the board [HHC] may allow the permit to continue on a month-to-month basis for additional one-year periods."

Application Process

The application is intended to minimize risk of investing significant time and resources for the Applicant and give DHHL a better idea about the proposed use and applicant potential capacity to implement. Applicants should closely review this application to understand the scope and expectations for RP holders. With questions about this application, please contact: DHHL.LMDRP@hawaii.gov.

There are three types of Revocable Permits:

1. **General RP** - a passive use to provide presence on the land, thus reducing the cost to DHHL for land management related activities.
2. **Business RP** - for industrial or other business-related use, the use is expected to benefit the trust primarily through the generation of revenue.
3. **Community** - for projects that primarily benefit a particular geographic community/area or that is intended to provide services that directly benefit a community of beneficiaries.

Under this Pilot program, properties are available under each of the three categories listed above. Applicants should closely review the property descriptions, requirements under each, and criteria for scoring to ensure the proposed use and application is in alignment with the DHHL Island Plans (see: <https://dhhl.hawaii.gov/po/island-plans/>) and Regional Plans (see: <https://dhhl.hawaii.gov/po/regional-plans/>) as well as the specific requirements of the parcel.

Other Parcels

Under this Pilot program, specific properties are available under each of the three categories listed above. Applicants should not apply for an RP for any properties other than those included in this Pilot program. At the completion of the Pilot Program, the HHC will review the results and recommendations and determine whether to launch a permanent RP program for other DHHL properties. If you have input on future properties or processes, please email: DHHL.LMDRP@hawaii.gov.

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Application

Attach a separate page if more space is needed.

Name of Applicant

Person to Contact/Title

Applicant's Address

Contact Person's Address

City, State, Zip Code

City, State, Zip Code

Applicant's Telephone No.

Contact Person's Telephone No.

Applicant's Email Address

Contact Person's Email Address

Federal/State Identification No.

List of Corporate Officers and Directors or Individual Partners, Joint Venture, or Owners

Name: _____

Name: _____

Title: _____

Title: _____

Telephone No: _____

Telephone No. _____

Address: _____

Address: _____

Please indicate your DHHL beneficiary status:

- ☐ All owners/board members/individual(s) are 50%+ native Hawaiian
- ☐ Majority ownership/board members are 50%+ native Hawaiian
- ☐ At least one, but less than majority ownership/board are 50%+ native Hawaiian

Applicant intends to apply for the following parcel:

Property Location/Island: _____

Tax Map Key No.: _____

Acres: _____

Type of RP: (circle one).

General

Business

Community

Proposed Rent per month: _____

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Describe intended Use:

Describe alignment with the Island and/or Regional Plans:

Describe any intended benefit to native Hawaiian HHCA beneficiaries:

Provide any additional information you determine relevant:

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There are separate requirements for each type of available RPs. Applicant shall submit the required information together with this application. Applicants interested in applying for an RP must meet the following minimum qualifications before the application is accepted and scored:

1. In compliance with State of Hawai'i Vendor requirements (e.g. Hawai'i Compliance Express). If the Applicant is an individual requesting a General RP for a remnant parcel and intends to simply maintain the property, two recent years of State and Federal tax returns may be substituted for compliance with Hawai'i Compliance Express.
2. Insurance. Applicants must provide proof of its ability to procure and maintain, at its own cost and expenses in full force and effect throughout the term of the permit, a general comprehensive liability insurance with a company authorized to do business in the State of Hawaii in the amount required by the type of RP naming the State of Hawai'i, Department of Hawaiian Home Lands (DHHL) as additional insured.
3. No EA. The use of land proposed by the Applicant can NOT trigger an environmental assessment as determined by DHHL's Planning Office. DHHL's list of exempt uses as approved by the Environmental Council is available on the DHHL website or here: https://files.hawaii.gov/dbedt/erp/Agency_Exemption_Lists/State-Department-of-Hawaiian-Home-Lands-Exemption-List-2021-04-06.pdf.
4. Benefits to DHHL/DHHL Beneficiaries. Applicant must demonstrate that it is proactively making its best effort to reach out to beneficiaries for job training, internship, or employment opportunities. Applicant can also provide information on targeted contribution (monetary or in-kind) to organizations that provide social services to beneficiaries or self-help housing organizations.
5. Financial Information Required. Financial information submitted shall be kept confidential and shall not be considered as a public record as defined in Chapter 92, Hawai'i Revised Statutes, as amended.

In addition to the financial information required for each type of RP use, Applicant shall be required to submit the following, if applicable:

1. Certified copy of the Article of Incorporation
2. Certified copy of the By-Laws
3. Current Certificate of Good Standing from the Department of Commerce and Consumer Affairs*
4. Current Tax Clearance from the Department of Taxation and Internal Revenue Service*

**3 and 4 may be met through a Certificate of Vendor Compliance through Hawai'i Compliance Express: <https://vendors.ehawaii.gov/hcel/>.*

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The UNDERSIGNED APPLICANT, understands that DHHL is relying on the information provided herein to qualify and represents and warrants that the information provided is true and complete. The UNDERSIGNED APPLICANT agrees to provide other information that DHHL deems necessary to determine the qualification of the Applicant.

By submitting this application, the Applicant acknowledges and understands that DHHL has a fiduciary responsibility to its beneficiaries and the Applicant's proposed use of DHHL property shall not in anyway harm DHHL's ability to fulfill its mission under the Hawaiian Homes Commission Act, 1920, as amended.

Name of Company/Individual

Signature

Title, if applicable

Date