

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

March 9, 2018

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

OAHU

Issuance of Right-of-Entry Permit to Waikiki Community Center for Beach Activities Purposes to be held on April 14 and 15, 2018 at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021

APPLICANT:

Waikiki Community Center, a domestic 501(c)(3) non-profit corporation.

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Honolulu, Oahu, identified as Tax Map Key: (1) 2-3-037: portions of 021, as shown on the maps attached **Exhibit A1** and **A2**.

AREA

Zone 1: 46,000 square feet
Zone 2: 6,225 square feet
Total: 52,225 square feet

ZONING:

State Land Use District: Urban

City and County of Honolulu LUO: Public Precinct

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered

CHARACTER OF USE:

Beach activities purposes

TERM:

From 9:00 a.m. on Saturday, April 14, 2018 to 7:00 p.m. on Sunday, April 15, 2018.

RENTAL:

Waived. See Remarks Section.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, 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," Item 51 that states, "permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." See exemption declaration attached as **Exhibit B**.

DCCA VERIFICATION:

| | | |
|---|--------------|--------------|
| Place of business registration confirmed: | YES <u>x</u> | NO <u> </u> |
| Registered business name confirmed: | YES <u>x</u> | NO <u> </u> |
| Applicant in good standing confirmed: | YES <u>x</u> | NO <u> </u> |

REMARKS:

Waikiki Community Center (WCC) is requesting permission to conduct beach activities for its annual fund raising event on State property, located at Duke Kahanamoku Beach, and further shown on the map attached as Exhibit A2.

The setting-up for the event is scheduled to begin on Saturday, April 14, 2018, from 9:00

a.m. and the event will be held between 9:00 a.m. and 3:00 p.m. on the following day.

The goal is to raise \$100,000 to fund operations of educational and social services that serve residents of, employees in, and visitors to Waikiki, and in particular, those in need. WCC, the master tenant of GL 5805 in the nearby Paoakalani Avenue, provides community programs and services through partnership with Waikiki Health and other sub-tenants on and off the leased premises. The annual fund raising is a significant piece of WCC's funding activities which help to further its operation and programs. WCC requests the fee for the requested right-of-entry be waived and staff has no objection to this request.¹

Members of the general public will be invited to participate, WCC expects approximately 3,000 people to attend on Sunday. The purpose of the event is to foster goodwill among the commercial and residential interests located within Waikiki, and Honolulu. Planned beach activities include open ocean sprint canoe races, stand up paddle relays, and live entertainment located upon the Hilton Hawaiian Village Hotel property and Duke Kahanamoku Beach. All amplified sound will be directed toward the hotel and its lagoon lawn.

For the Board's information, the Board approved similar requests from WCC in the past.

Hilton Hawaiian Village has agreed to serve as the title sponsor of this event and to lead a community-wide effort to raise contributions. WCC understands and agrees that no advertising or commercial activities are allowed on the State owned beach. Also, no alcoholic beverages will be served or allowed in the requested area.

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

Division of Boating and Ocean Recreation and the Office of Conservation and Coastal Lands have no objections to the subject request.

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 right-of-entry permit to Waikiki Community Center covering the subject area mentioned above for beach activities purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

¹ The fee would be \$10,445 for the subject request.

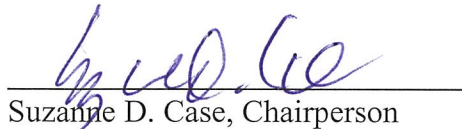
- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

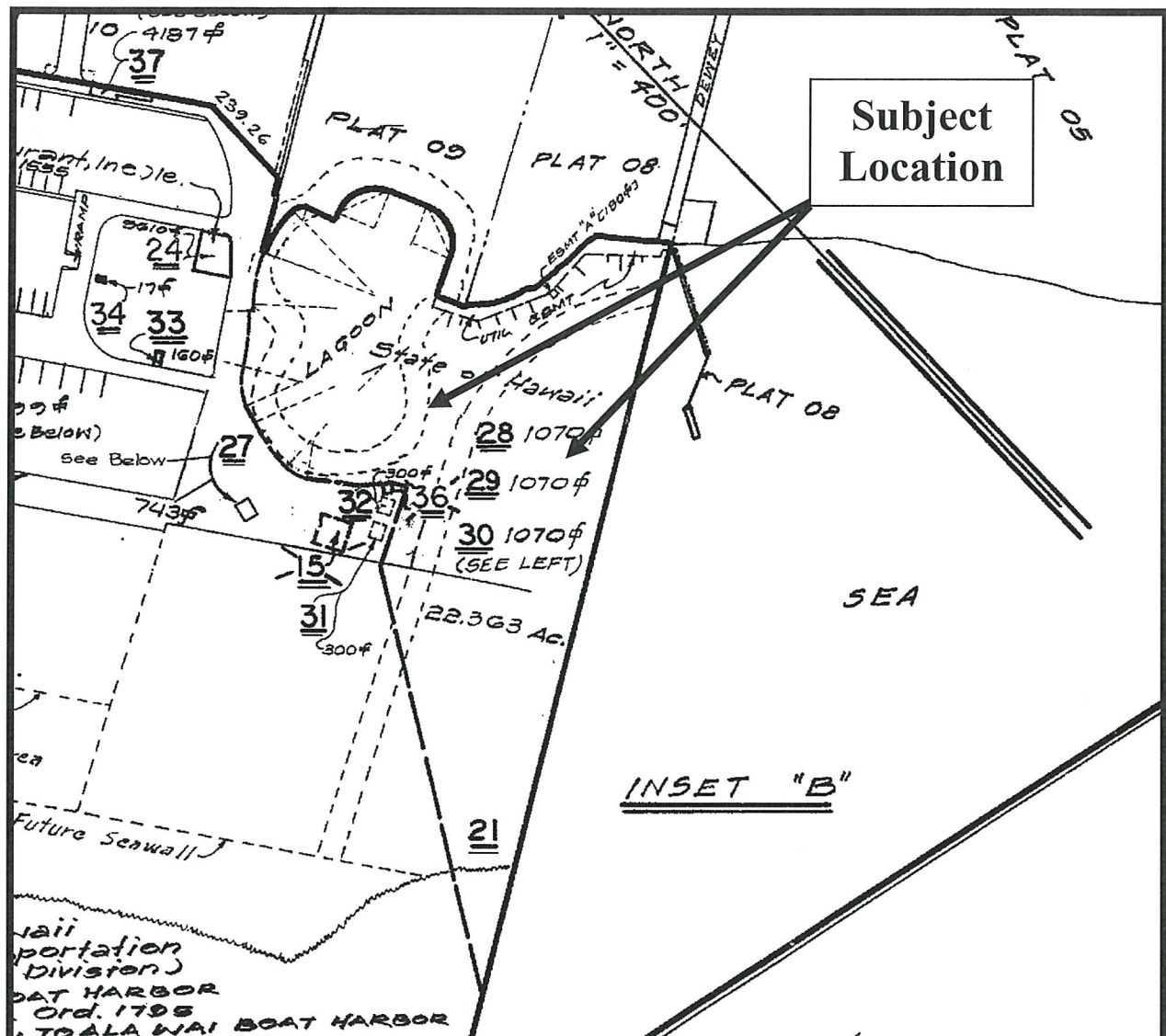
Respectfully Submitted,



Barry Cheung
District Land Agent

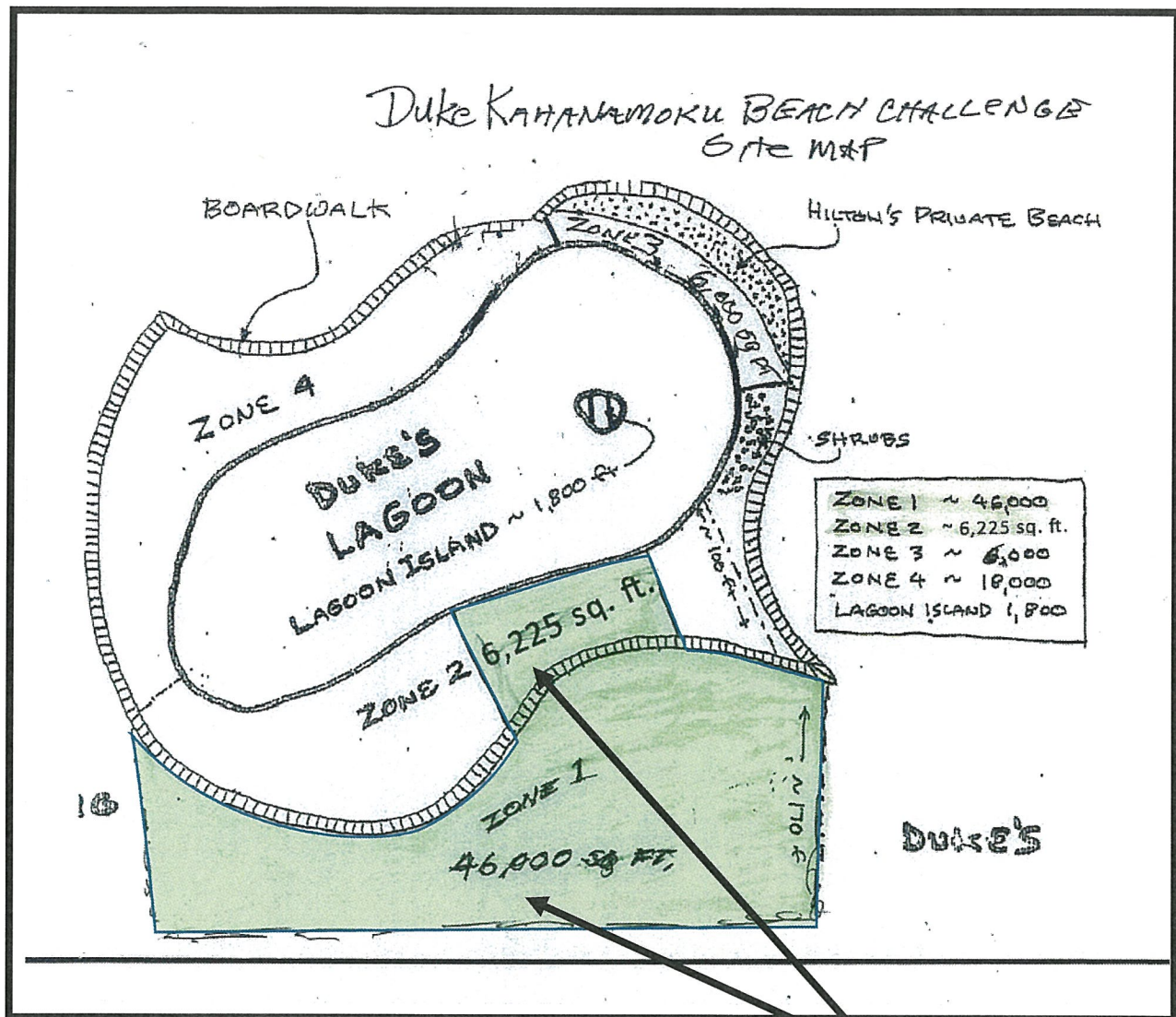
APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



TMK (1) 2-3-037:PORTION OF 21

EXHIBIT A1



TMK (1) 2-3-037: portions of 021

**Subject
Location**

EXHIBIT A2

EXEMPTION NOTIFICATION

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

| | |
|--------------------------|---|
| Project Title: | Issuance of Right-of-Entry Permit for the Waikiki Community Center |
| Project / Reference No.: | ROE 2018 |
| Project Location: | Waikiki, Honolulu, Oahu, Tax Map Key (1) 2-3-037: portions of 021 |
| Project Description: | Beach Activities Event |
| Chap. 343 Trigger(s): | Use of State Land |
| Exemption Class No.: | <p>In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, 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," Item 51 that states, "permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."</p> <p>The Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use beyond that previously existing.</p> |
| Consulted Parties | Agencies as noted in the submittal. |
| Recommendation: | That the Board find that 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. |

EXHIBIT B