State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of State Parks  
Honolulu, Hawaii  
May 11, 2018

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

Hawaii Island

Request for a Right of Entry to the Korean War Veterans Group, Big Island Chapter, for the Construction of a Korean War Memorial on Piopio Street in Hilo, Hawaii, Near the Vietnam Memorial Which Currently Exists Within the Wailoa River State Recreation Area in Hilo, Hawaii, Tax Map Key: (3) 2-2-13:portion of 003.

PURPOSE:

Approve Right of Entry to the Korean War Veterans Group, Big Island Chapter, for the construction of a Korean War Memorial located within the Wailoa River State Recreation Area to honor and perpetuate the memory of the individuals lost during the Korean War.

LEGAL REFERENCE:

Hawaii Revised Statutes § 171-55 as amended

LOCATION:

Portion of State of Hawaii lands within the Wailoa River State Recreation Area, Hilo, Hawaii, identified by Tax Map Key: (3) 2-2-13:portion of 003. (Exhibit B)

AREA:

Footprint of the memorial to be approximately 16´ x 16´ within the approximate 131.9 acres of the park. (Exhibit B)

ZONING:

State Land Use District: Urban  
County of Hawaii: Open

ITEM E-1
TRUST LAND STATUS:

Section 5(b) land of the Hawaii Admissions Act
DHHL 30% entitlement land pursuant to the Hawaii State Constitution: Yes ___ No X

CHAPTER 343 ENVIRONMENTAL ASSESSMENT:

The Division of 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 Statues (HRS) and §11-200-8(a)(1), Hawaii Administrative Rules (HAR) and within #4 of exemption Class 3 of the Department of Land and Natural Resources Exemption List which exempts construction and location of single new, small facilities or structures [June 5, 2015].

CURRENT USE STATUS:

Part of area maintained for the Vietnam Memorial

CHARACTER OF USE:

Memorial, construction, operation and maintenance of purposes.

REMARKS:

Background:

By correspondence dated April 9, 2018, Richard Onishi, State House Representative, District 3 (Exhibit A), is requesting on behalf of the Korean War Veterans Group, Big Island Chapter, to obtain a Right of Entry for the construction of a Korean War Memorial to be located to the current Vietnam Memorial within the Wailoa River State Recreation Area.

Conceptual Plan for Memorial:

The drawings for the memorial were completed by Inaba Engineering (Exhibit B). The site for the Korean War Memorial will be at Piipio Street, T.M.K. 2-2-13:03. The footprint for the memorial is anticipated to be 16’ x 16’, with the memorial itself at 5’ x 3’. The funding for the project will be the responsibility of the Korean War Veterans Group, Big Island Chapter.

The footprint of the proposed Korean War Memorial will be within the area which the County of Hawaii, Parks and Recreation Division currently maintains and they have agreed to add the Korean War Memorial to their area of maintenance.

Staff Comments:

Staff is recommending approval of the issuance of a Right of Entry to the Korean War Veterans Group, Big Island Chapter, for the construction of the memorial. The contractor will be
determined at a later date and will be one of mutual approval between the Korean Veterans Group and the Department of Land and Natural Resources, State Parks Division.

Staff is also recommending that future requests similar to this submittal be allowed with Chairperson’s approval.

RECOMMENDATIONS: 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 have minimal or no signification effect on the environment and is therefore exempt from the preparation of an environmental assessment.

2. Approve the issuance of a Right of Entry to the Korean War Memorial Veterans Group, Big Island Chapter, for the construction of the Korean War Memorial within the Wailoa River State Recreation Area subject to the following conditions:

3. Permittee, its officers, agents, employees, volunteers, consultants, contractors, and/or persons acting for, or on its behalf, shall at all times with respect to the Wailoa River State Recreation Area; a) use due care for public safety; b) agrees to release the State of Hawaii from any claims which Permittee might have against the State of Hawaii arising out of Permittee’s occupation or use of the Wailoa River State Recreation Area; and c) shall be responsible for its own acts;

4. Final plans for the memorial, including its exact location, and selection of the contractor for the construction of the project shall be subject to approval of the Department of Land and Natural Resources, Division of State Parks;

5. The contractor shall procure and maintain, at its own cost and expense, in full force and effect throughout the term of this Right of Entry, commercial general liability insurance, in an amount of at least $1,000,000.00 per occurrence and $2,000,000.00 aggregate, with an insurance company or companies licensed to do business in the State of Hawaii. The policy or policies of insurance shall name the State of Hawaii as an additional insured. The policy should also contain the following clause: “It is agreed that any insurance maintained by the State of Hawaii will apply in excess of, and not contribute with, insurance provided by this policy”. The insurance shall cover the entire Wailoa river State Recreation Area, including all grounds, buildings and all roadways or sidewalks on or adjacent to the Hapuna SRA in the use or control of the Permittee;

6. The permittee shall immediately provide written notice to the Department should any of the insurance policies evidenced on its Certificate of Insurance form be cancelled, limited in scope, or not renewed upon expiration;
7. The permittee enter into an agreement with the County of Hawaii for the maintenance of the grounds of the constructed memorial and guarantees the memorial is maintained should the County of Hawaii no longer perform these tasks;

8. The Chairperson or her representative is authorized to negotiate all other terms and conditions of the Right of Entry.

Respectfully submitted,

[Signature]

Curt A. Cottrell
Administrator
Division of State Parks

APPROVED FOR SUBMITTAL:

[Signature]

SUZANNE D. CASE
Chairperson
Board of Land and Natural Resources

ATTACHMENTS:
Exhibit A: Correspondence from State House Representative, Richard Onishi
Exhibit B: Inaba Engineering
1. Map of the Korean War Memorial site
2. Drawing of the Korean War Memorial
Mr. Dean Takebayashi  
Hawaii Parks District Superintendent  
DLNR-State Parks  
75 Asa Pum Street Room 204  
Hilo, HI 96720

Dear Mr. Takebayashi,

On behalf of the Korean War Veterans Group, Big Island Chapter, I would like to respectfully request that the Board of Land and Natural Resources grant a Right of Entry and therefore permission for the construction of a Korean War Memorial on Piopio Street in Hilo, Hawaii near the Vietnam War Memorial.

We cannot forget the sacrifices of the many veterans who served in the Korean War, which was also known as the forgotten war. This memorial is our way of honoring those from our community who made the ultimate sacrifice for our freedoms and liberties that many today take for granted.

The drawings for the memorial were completed on February 20, 2018 by Inaba Engineering and I am submitting them along with this request letter. The site for the Korean War Memorial will be at Piopio St, T.M.K.2-2-13:03. The footprint for the memorial is anticipated to be 16' x 16', with the memorial itself at 5' x 3'.

I have been in discussions since 2014 with the veterans group and the past two years with you, as the representative in the Hawaii Parks Section to discuss these plans. This granting a Right of Entry to allow for construction of this memorial is the last step required. Our veterans are eager to complete this memorial to honor and recognize their brothers in arms who were lost during the Korean War.

Thank you in advance for your timely attention to this matter.

Respectfully submitted,

Richard H.K. Omishi  
State House Representative, District 3

cc: Curt Cottrell, State Parks Administrator