

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

January 11 2019

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

PSF No. 18OD-149

Oahu

Issuance of a Right-of-Entry Permit to Waikiki Roughwater Swim Committee, Inc.  
for a Swim Race Event to be held on September 2, 2019, at Waikiki, Honolulu,  
Oahu, Tax Map Key: (1) 2-3-037:portion of 021.

APPLICANT:

Waikiki Roughwater Swim Committee, Inc.

LEGAL REFERENCE:

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

LOCATION:

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

AREA

1,800 square feet, more or less

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 unencumbered.

CHARACTER OF USE:

Swim Race Event.

TERM:

From 5:30 a.m. to 1:30 p.m. on Monday, September 2, 2019.

RENTAL:

\$180.00 (A one-time payment based on 10¢ per square feet per day.)

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 concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51. See **Exhibit 2**.

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:

The Waikiki Roughwater Swim Committee, Inc. (WRSC) requests the issuance of a right-of-entry permit to use selected areas of the Duke Kahanamoku Beach for the finish of their 50<sup>th</sup> Annual Waikiki Roughwater Swim race event. The event is scheduled for Monday, September 2, 2019. Equipment will be set-up on the permitted beach areas starting from 5:30 a.m. and torn-down by 1:30 p.m. Applicant has submitted a map delineating the selected beach areas requested for use relating to the subject event. See **Exhibit 3**. A roped-off, finish line area (approximately 1,100 square feet) near the shoreline of Duke Kahanamoku Beach fronting the Hilton Hawaiian Village Hotel will contain the timing equipment, an announcer's table, and an area to remove race chips from the finished swimmers. WRSC also requests the use of 200 square feet of beach area situated adjacent to the finish line for the setting up of two tents, serving medical doctor and first aid purposes.

According to the Applicant, the doctor and first aid tents will be approximately 20 feet apart to allow public access between the two tents. An additional 200 square feet of tented and table area is requested for "Clothes Pick-up". Further, the applicant requests the use of 200 square feet of beach area for the placement of a tent including tables for T-shirt distribution purposes. Lastly, a 100 square foot tented beach area is being requested for use as a water station. The right-of-entry permit request includes the use of a total amount of 1,800 square feet of beach area.

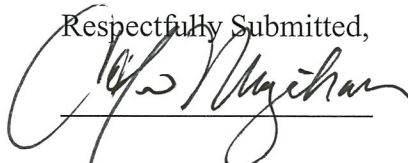
Office of Conservation and Coastal Lands has no comments to the request.

The applicant 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.

RECOMMENDATION: That the Board

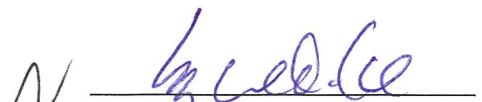
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Waikiki Roughwater Swim Committee, Inc. for the purpose of covering the subject area for the swim race event 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 right-of-entry 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,



Cal Miyahara  
Shoreline Disposition Specialist

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson





### EXEMPTION NOTIFICATION

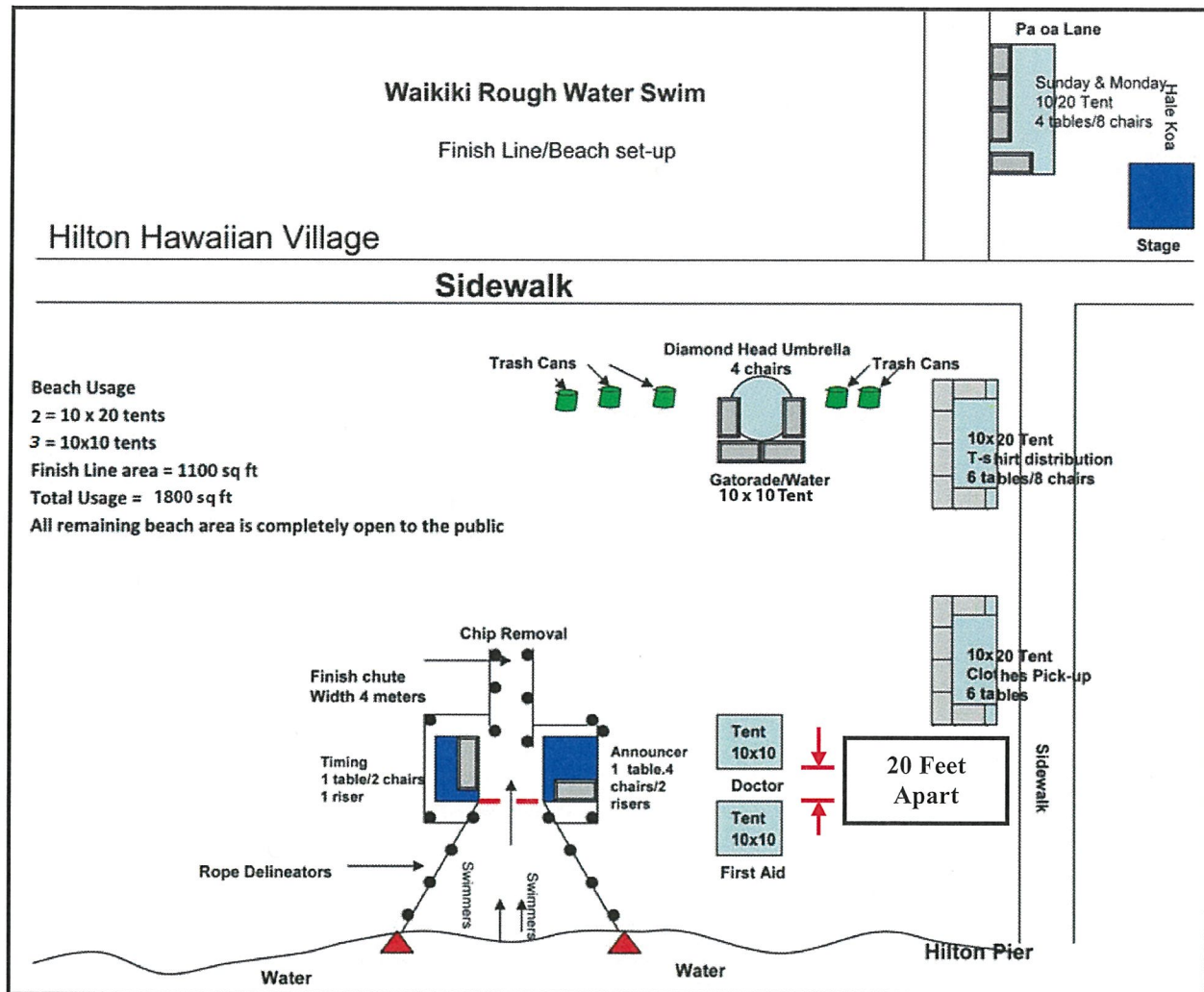
Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Issuance of a Right-of-Entry Permit to Waikiki Roughwater Swim Committee, Inc. for a Swim Race Event to be held on September 2, 2019
Reference No.:	PSF 18OD-149
Project Locations:	Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:portion of 021
Project Description:	Roughwater Swim Race Event
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which states the "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, similar events occur at the same location from time to time, but not on a routine or regular basis (e.g., daily or weekly). However, based on the organizers clean-up and restoration of the beach area, staff believes that there would be no significant cumulative impact.
Action May Have Significant Impact on Particularly Sensitive Environment?	The requested area is a portion of State beach visited by tourists and residents, and is heavily impacted by human activity. Public access across the requested area is maintained by the Hilton Hawaiian Village staff. In addition, based on the analysis below, staff believes there would be no significant impact to sensitive environmental or ecological receptors.
Consulted Parties:	Consulted with Office of Conservation and Coastal Lands who has no objections to the subject request and concurs with the exemption for an environmental assessment.
Analysis:	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. Staff also believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation:

It is recommended 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.



Note: The Doctor and First Aid tents will be constructed about 20 feet apart to allow public access between the two tents.