

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

June 28, 2019

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 July 6 and 7, 2019 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, July 6, 2019 to 8:00 p.m. on Sunday, July 7, 2019.

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 with 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 maps attached as Exhibit A1 and A2.

The setting-up for the event is scheduled to begin on Saturday, July 6, 2019, from 9:00 a.m. and the event will be held between 9:00 a.m. and 1:30 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 provides crucial multigenerational services to better the lives of all Waikiki residents. From keiki to kupuna, WCC provides unparalleled support for anyone who needs it.

For over 37 years, WCC has served as a resource hub for the community and committed to strengthening the entire community by providing programs and services to individuals and families in-need. One of the biggest challenges facing community members in need is knowing where to get the help that will move them forward. WCC strives to make the available resources easy to access.

WCC is a “one stop shop” for human services, social support, lifelong education, and wellness for Waikiki’s families, keiki, and seniors. Through various programs and services, over 20,000 individuals received the help they need to be healthy, safe, and prosperous.

WCC is the master tenant of a State lease (GL 5805) located on Paoakalani Avenue in Waikiki. Working together with other non-profit entities and community groups located on the leased premises, WCC also serves as a gathering place for over 95,000 people each year.¹

When WCC previously asked the Board for consents to the subleases pursuant to the lease conditions, the revenue and expense reports provided by WCC always showed deficits varied over the years. WCC relies on the annual fund-raising event as a significant piece of its funding activities which help to further its operation and programs for the benefit of the community. Therefore, WCC requests the fee for the requested right-of-entry be waived.² Staff acknowledges the services and benefits generated by WCC to the community and recommends the Board approve the waiver of the fee.

Members of the general public will be invited to participate the subject event and WCC expects approximately 300 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 outrigger canoe races, standup paddle, and beach volleyball. Live entertainment will be located on the Hilton Hawaiian Village Hotel property and Duke Kahanamoku Beach and all amplified sound will be directed toward the hotel and its lagoon lawn.

For the Board’s information, the Board approved similar requests and waived the fees for WCC in the past.

Hilton Hawaiian Village will serve as the event host. 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.

¹ Information gathered from WCC’s website <http://www.waikikicommunitycenter.org/>

² The fee would be \$10,445 for the subject request.

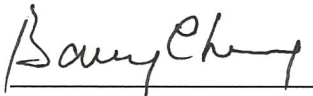
WCC has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

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

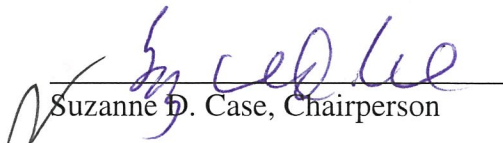
RECOMMENDATION: That the Board

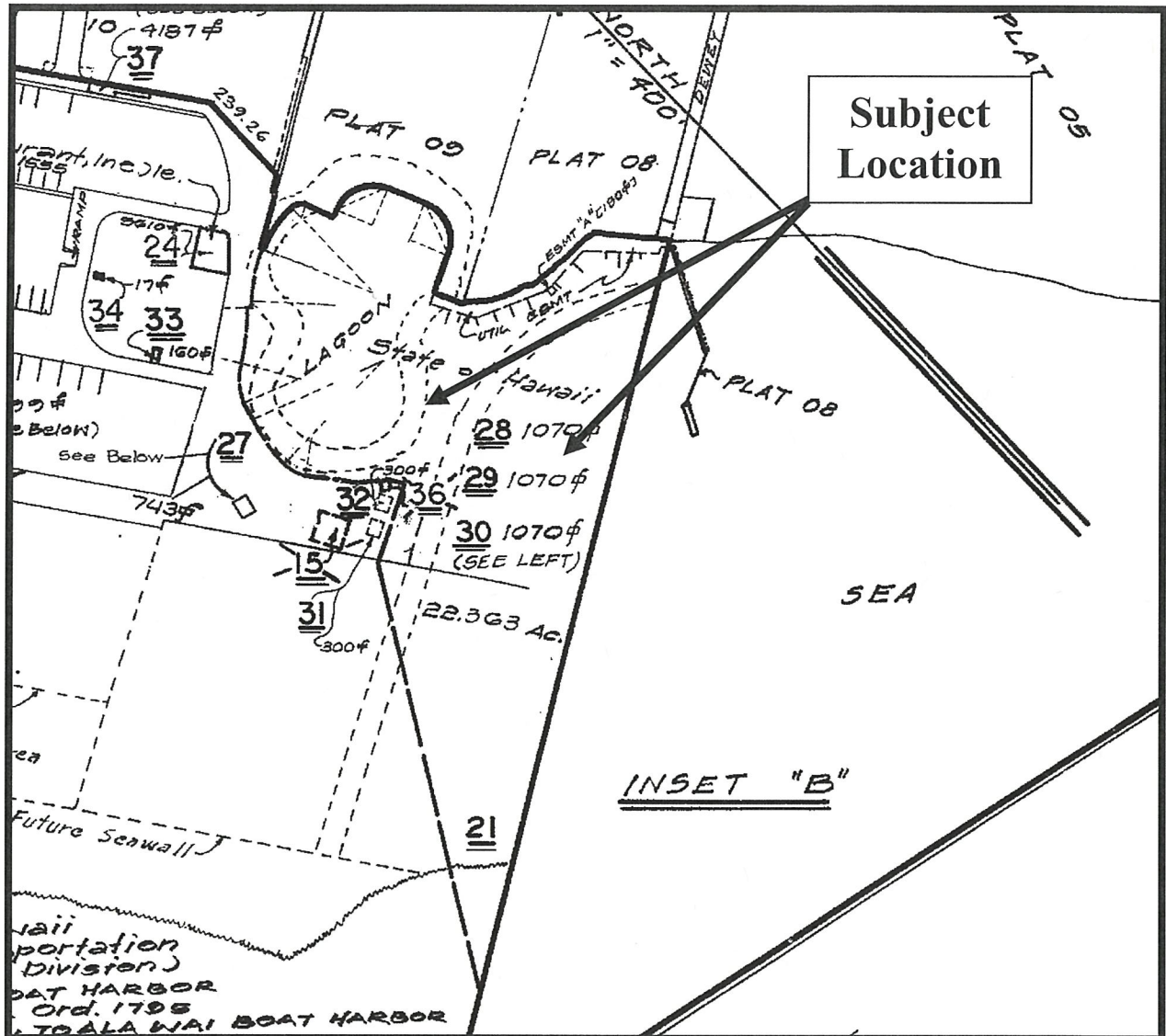
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
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:
 - 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

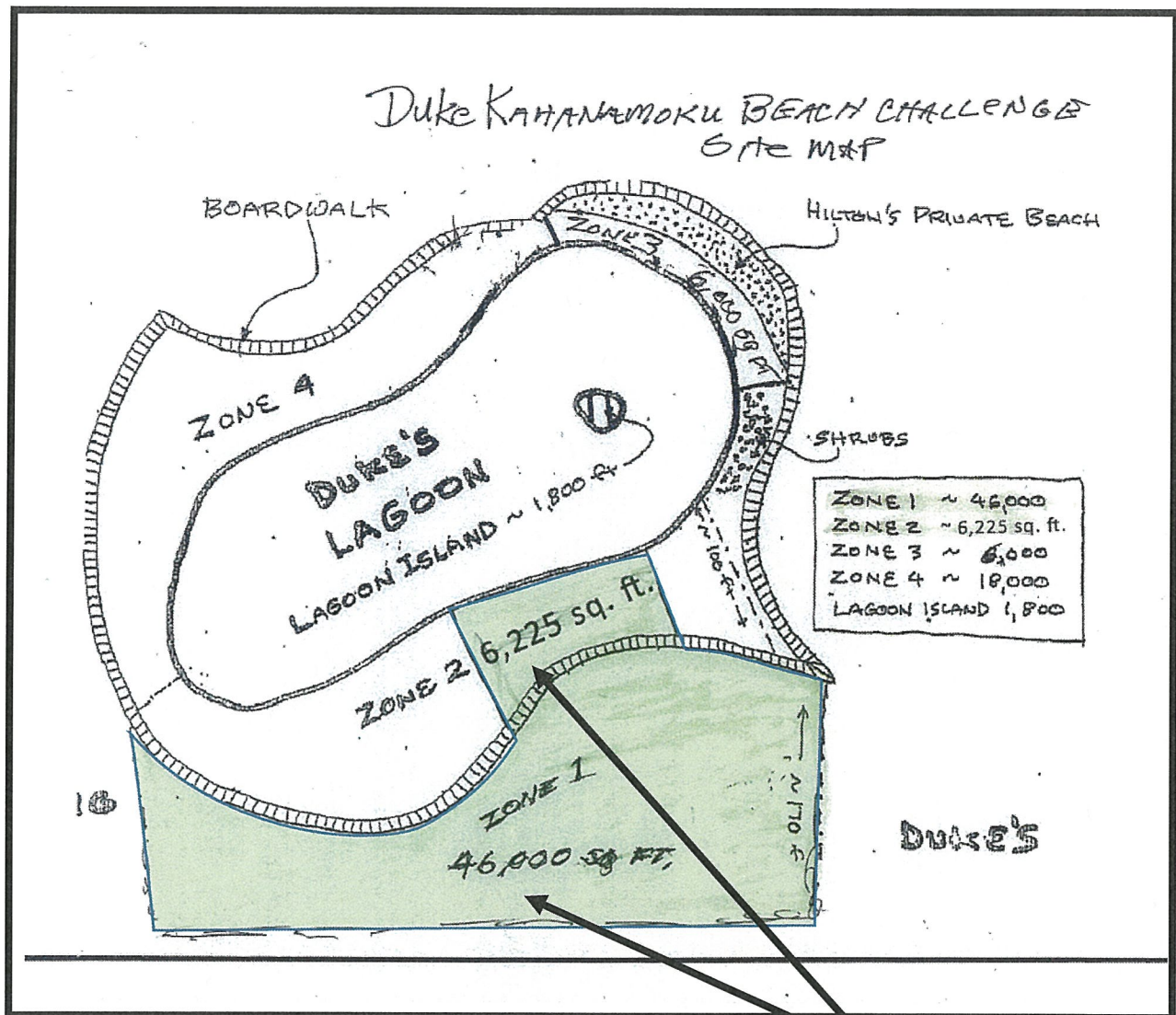
APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



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

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 2019
Project Location:	Waikiki, Honolulu, Oahu, Tax Map Key (1) 2-3-037: portions of 021
Project Description:	Beach Activities Event to be held on July 6 and 7, 2019.
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 with 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, that states "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 previously permitted beach activities events in the past. The request is indirectly involved in a beach activities event to be held on the adjacent private hotel property. Public access to the shoreline will not be affected by the installation of the subject sign. As such, staff believes that the request will involve negligible or no expansion or change in use beyond that previously existing.</p>
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No successive actions will occur in the same location. As such, staff believes that there would be no significant cumulative impact.
Action May Have Significant Impact on Particularly Sensitive Environment?	Based on the analysis below, staff believes there would be no significant impact to sensitive environment.

EXHIBIT B

Consulted Parties:	Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation.
Analysis:	Staff 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 request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.