

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

July 24, 2020

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

PSF No.:20OD-059

Oahu

Amend Governor's Executive Order 3452 Waianae-Kai, Waianae, Oahu, Tax Map  
Key: (1) 8-5-017:005.

The amendment is to revise the makai boundary of Parcel B to the seaward edge of  
the breakwater.

APPLICANT:

City and County of Honolulu.

LEGAL REFERENCE:

Section 171-11 Hawaii Revised Statutes ("HRS"), as amended.

LOCATION:

Portion of Government lands of Waianae, Oahu, identified by Tax Map Key:  
(1) 8-5-017:005 as shown on the map labeled **Exhibit A-1**.

AREA:

1,853 acres, subject to review and approval by the Department of Accounting and  
General Services, Survey Division.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: P-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

APPLICANT REQUIREMENTS:

None.

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 3452 to City and County of Honolulu for Park purposes. The subject request pertains to Parcel B of GEO 3452 only.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Hawaii Administrative Rules ("HAR") §11-200.1-15 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred upon by the Environmental Council on March 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 37 that states, "Transfer of management authority of state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order." See **Exhibit B**.

BACKGROUND:

The subject Governor's Executive Order ("GEO") 3452 was issued April 4, 1990, to the Department of Parks and Recreation, City and County of Honolulu ("C&C") for park purposes to be utilized in consolidation with the C&C's Mauna Lahilahi Beach Park.

In 2003, C&C constructed a rock breakwater across the mouth of the cove to reduce wave energy entering the cove. At its meeting of September 27, 2019, Item K-3, the Board of Land and Natural Resources approved, as amended with added conditions, Conservation District Use Application ("CDUA") OA-3840 to replace an existing sandbag revetment with a permanent rock revetment for the purpose of erosion control along the mauka boundary of the GEO. Pursuant to the Board approval, the makai boundary of Parcel B would be extended to the seaward edge of the existing breakwater and the entire basin would be within the new boundaries. See **Exhibit A-2**

Since comments were solicited during the CDUA process in addition to the Final Environmental Assessment – Finding of No Significant Impact (FEA-FONSI) published in the May 23, 2014 Environmental Notice by the Office of Environmental Quality Control,

staff did not request comments for the GEO amendment. Staff is recommending the issuance of an GEO to amend the boundary and area of Parcel B in GEO 3452 for housekeeping purposes.

RECOMMENDATION: That the Board

- A. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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.
- B. Approve of and recommend to the Governor the issuance of an executive order amending the area of Parcel B of Governor's Executive Order 3452 under the terms and conditions cited above, and further subject to the following:
  - 1. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
  - 2. Disapproval by the Legislature by two-thirds vote of either the House of the Representatives or the Senate or by a majority vote by both in any regular to special session next following the date of the setting aside.
  - 3. Review and approval by the Department of the Attorney General; and
  - 4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

*Patti E. Miyashiro*

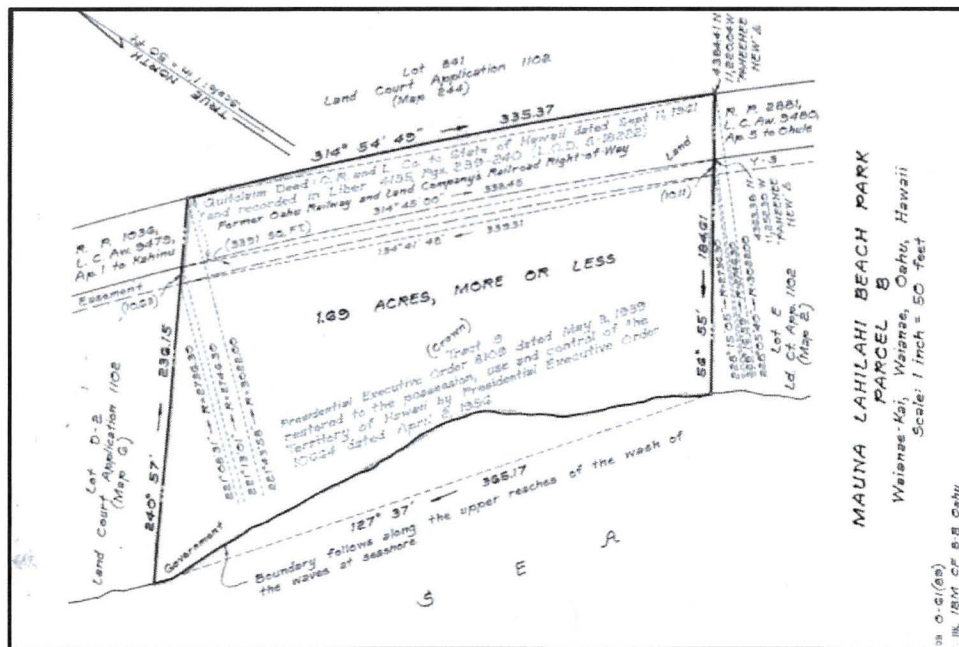
Patti E. Miyashiro, Land Agent

APPROVED FOR SUBMITTAL:

*Suzanne D. Case*

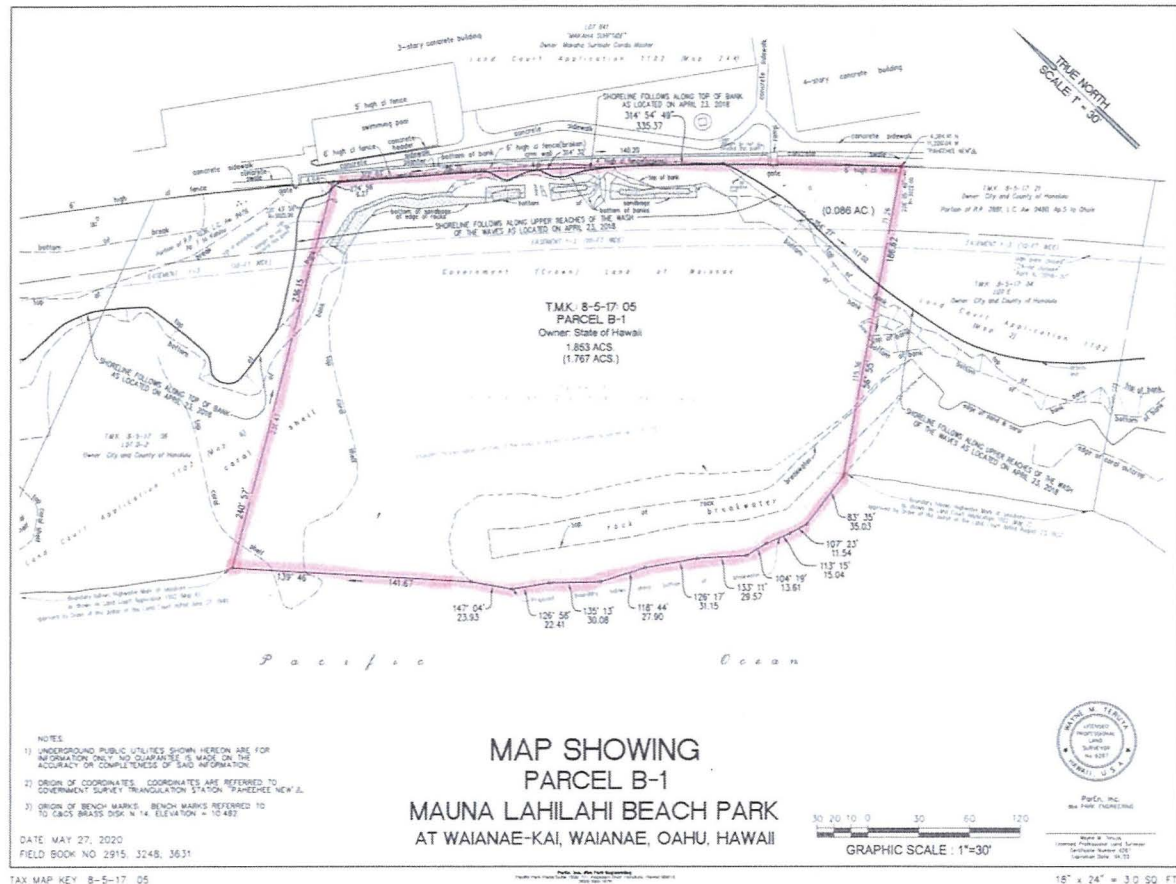
Suzanne D. Case, Chairperson

*RT*



Parcel B as Set Aside by GEO 3452





## AMENDED PARCEL B Area and Boundary

**EXHIBIT A-2**

### EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Amendment of Governor's Executive Order 3452 to the Department of Parks and Recreation, City and County of Honolulu for Park Purposes by Revising the Area and Boundary of Parcel B
Project / Reference No.:	PSF 20OD-059
Project Location:	Waianae-Kai, Waianae, Oahu, Tax Map Key: (1) 8-5-017:005
Project Description:	Revision of the area and boundary of Parcel B to extend the seaward boundary to seaward edge of the existing breakwater.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	In accordance with HAR Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred upon by the Environmental Council on March 3, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 37 that states, "Transfer of management authority of state-owned land, such as setting aside of state lands to or from other government agencies through a Governor's executive order."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No. The request is for housekeeping purposes only after the revised land survey. Staff does not anticipate there are cumulative impact to the environment by the project.
Action May Have Significant Impact on Particularly Sensitive Environment?	No. The request is for housekeeping purposes only after the revised land survey. Staff is not aware of any particularly sensitive environments in the vicinity.
Consulted Parties:	None. Consultation was conducted during the conservation district use permit stage as described in the submittal.

**EXHIBIT B**

Analysis:	Based on the above analysis, staff recommends the Board declare this request be exempted from the preparation of an environmental assessment.
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.