

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Division of Boating and Ocean Recreation
Honolulu, Hawaii 96819

January 10, 2025

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Keys: (1) 2-6-010:005 and (1) 2-6-010:016 (portion).

And

Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

Secure Parking Hawaii LLC, a Hawaii limited liability company, whose mailing address is 529 Koula Street Bay 2, Honolulu, HI 96813.

LEGAL REFERENCE:

Sections Chapter 171-13 and -55, Hawaii Revised Statutes.

LOCATION:

Portions of Government lands situated at Ala Wai Small Boat Harbor ("AWSBH"), Honolulu, Oahu, Hawaii, identified by Tax Map Keys: (1) 2-6-010:005 and (1) 2-6-010:016 (portion), as shown on the attached map labeled **Exhibit A-1 and A-2**.

AREA:

Approximately 38,376 sq. ft, more or less.

ZONING:

State Land Use District: Urban
County of Honolulu CZO: Public Precinct (Waikiki Special District)

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:

Unencumbered.

CHARACTER OF USE:

Vehicle Parking Management, see **Exhibit B**.

MONTHLY RENTAL:

All gross receipts generated by the parking operation shall be collected by the permittee. The permittee shall pay the Division of Boating and Ocean Recreation (“DOBOR”) an amount equal to Eighty Percent (80%) of gross receipts monthly. Said payment shall be due ten (10) calendar days after the end of each month.

COMMENCEMENT DATE:

January 15, 2024, through December 31, 2025

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>

JUSTIFICATION OF REVOCABLE PERMIT:

Staff requires time to complete a Request for Proposal to secure a long-term tenant to manage and maintain the area. Issuing the Revocable Permit allows for Secure Parking Hawaii LLC to use the space and generate revenue for the State in the interim.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is

exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, “Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing,” Part 1, Item No. 44, which states, “Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.”

BACKGROUND:

The former haul out is approximately about 38,376 square feet. Previously occupied by Ala Wai Boat Works, Ltd. (later Ala Wai Marine, Ltd.), it was used for parking and storage until vacated in February 2009. In addition to haul-out services and repairs, Ala Wai Marine, Ltd. also served food to the boating community and the public.

At its meeting on March 24, 2022, under agenda item J-2, the Board approved the issuance of an RP to Blue Water Shrimp International LLC for approximately 9,000 square feet at the haul out for food service, performance, and playing of conversation-friendly music (low volume).

At its meeting on October 11, 2024, under agenda item J-1, the Board approved the reissuance of an RP to Blue Water Shrimp International LLC for the period beginning October 1, 2024, through November 30, 2024. As part of that submittal, Blue Water Shrimp International, LLC is required to conduct and submit to DOBOR a Phase I Environmental Assessment of the Premises within 30 calendar days from the date of the submittal, pursuant to Provision B-13 of Revocable Permit No. 138; or in the alternative, authorize DOBOR to arrange for the completion of a Phase I Environmental Assessment of the Premises, with all costs and related expenses of such to be fully paid by Blue Water Shrimp International, LLC.

The Phase I Environmental Assessment determined that the property has no active or historical environmental risks that would impede its unrestricted use. While the historical use as a boatyard introduced petroleum contamination, effective cleanup and DOH approval have rendered the site safe. The findings support the property's suitability for future development or continued use without significant environmental liabilities. Staff has determined that it is appropriate to issue the new RP with an effective date of January 15, 2025.

REMARKS:

The concession contract LO-24-009, issued to Secure Parking Hawaii LLC for vehicle parking management at the Ala Wai Small Boat Harbor, was fully executed on December 3, 2024. The premises covered under this request for a revocable permit would be additional to the area already under their management.

Staff has been working with AccesSurf to allocate a section of the lot for a storage container. AccesSurf, a nonprofit organization, provides a range of programs, services,

and events for individuals with disabilities, focusing on adaptive surfing and therapeutic water recreation education. This storage container would offer a convenient space to store equipment near an accessible beach area, enabling individuals with disabilities to enter and exit the water with ease.

Staff recommends the issuance of the Revocable Permit to Secure Parking LLC. The applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, Hawaii Administrative Rules, this request will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment;
2. Based on the testimony and facts presented, the Board finds that approving the revocable permit under the conditions and rent set forth herein will serve the best interests of the state;
3. Authorize the issuance of a revocable permit to Secure Parking LLC covering the subject area for management of vehicular parking 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 revocable permit form, as may be amended from time-to-time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



MEGHAN L. STATTS, Administrator
Division of Boating and Ocean Recreation

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources

Attachments:

- A-1 Location on Oahu
- A-2 Location within Ala Wai Small Boat Harbor
- A-3 Close up of the Lot
- B Minimum Duties

EXEMPTION NOTIFICATION

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

Project Title:	Issuance of a Revocable Permit to Secure Parking Hawaii LLC, for Management of Vehicular Parking in the Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Keys: (1) 2-6-010:005 and (1) 2-6-010:016 (portion).
Project / Reference No.:	N/A
Project Location:	Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Keys: (1) 2-6-010:005 and (1) 2-6-010:016 (portion).
Project Description:	Issuance of a Revocable Permit to Secure Parking Hawaii LLC, for Management of Vehicular Parking.
Chap. 343 Trigger(s):	Use of State lands
Exemption Class No(s).:	In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving minor expansion or minor change of use beyond that previously existing," Part 1, Item No. 44, which states, "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?	There are no permanent above ground structures. Activities in the subject area have resulted in no known significant impact to the natural and environmental resources in the area.
Action May have Significant Impact on Particularly Sensitive Environment?	Staff is not aware of any particularly sensitive environmental issues and use of the area would not change negligently from what is existing.
Analysis:	Based on the above mentioned, staff believes there would be no significant impact to the environment.
Consulted Parties:	None
Declaration:	The Board find that this project will probably have minimal or no significant effect on the environment and declares that this project is exempt from the preparation of an environmental assessment.

Exhibit A-1

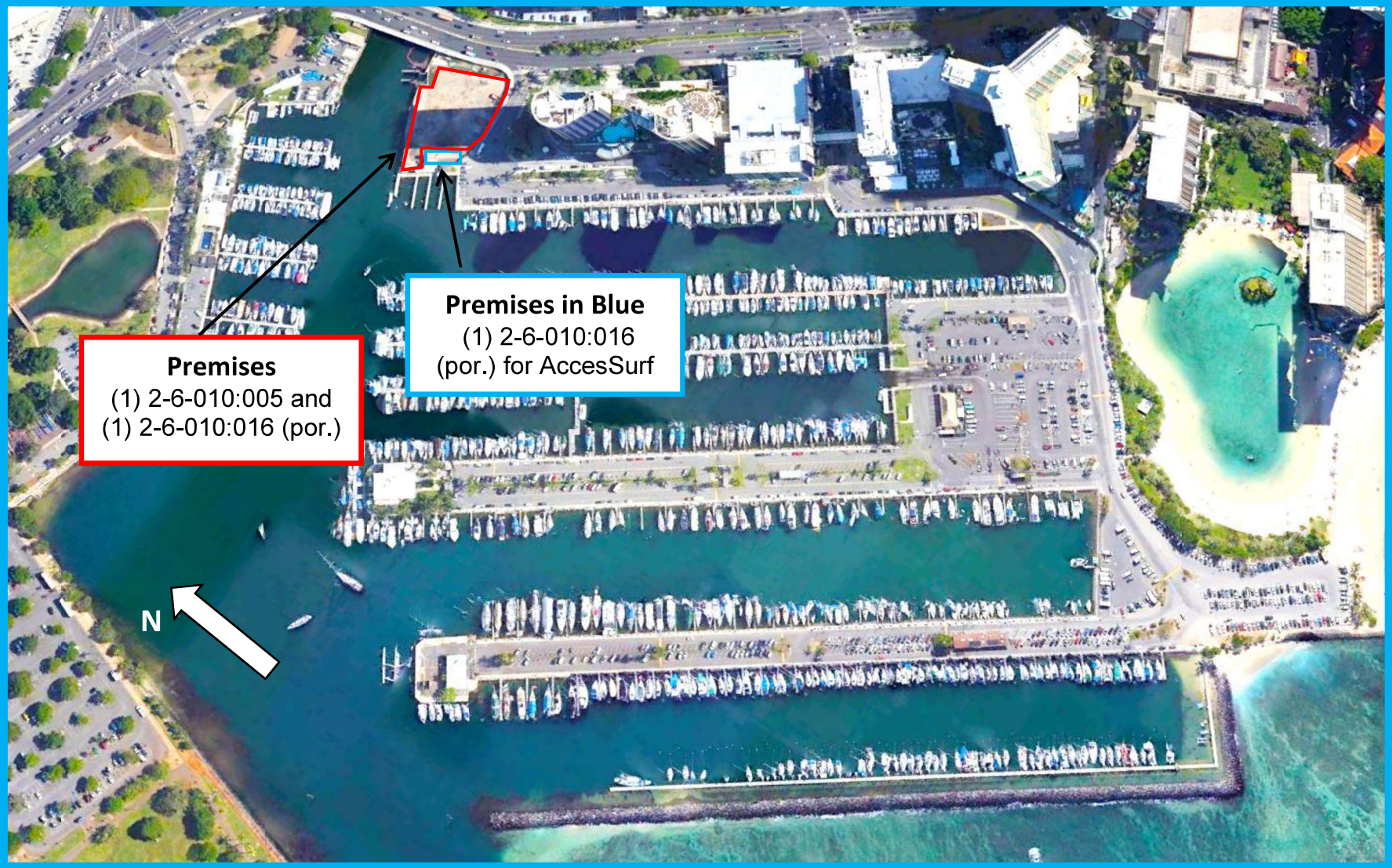
Location on Oahu - Ala Wai Small Boat Harbor



Exhibit A-1

Exhibit A-2

Ala Wai Small Boat Harbor



Premises
(1) 2-6-010:005 and
(1) 2-6-010:016 (por.)

Premises in Blue
(1) 2-6-010:016
(por.) for AccesSurf

Exhibit A-3



**Premises for Secure
Parking Hawaii LLC**
(1) 2-6-010:005 and
(1) 2-6-010:016 (por.)

Approx. 38,082 sq. ft.

**Premises for
AccesSurf**
(1) 2-6-010:016 (por.)
Approx. 1,223 sq. ft.

Exhibit A-3

Exhibit B

Minimum Duties for Parking RP in the Haul Out at Ala Wai SBH

1. Manage the Division of Boating and Ocean Recreation's ("DOBOR") parking operations in this area at the harbor.
2. Ensure signage is clear and easy to find to inform customers about parking fees, policies, time limits, and locations of pay stations.
3. Collect parking fees assessed in accordance with Hawaii Administrative Rules, Section 13-233.
4. Submit monthly gross receipt revenue and report to DOBOR within Ten (10) calendar days of the end of the preceding month.
5. Ensure parking compliance throughout the facility and work directly with the DOBOR staff, DOCARE and DOBOR's towing contractor.
6. Ensure that proper parking signage is displayed throughout the facility. Ensure all signs, markings, and lighting are clearly visible and functional.
7. Enhanced Signage and Warnings
 - a. Water Hazard Signs: Place clear and visible signage warning of the water hazard at multiple points along the parking area's edge.
 - b. Restricted Areas: Use signs to indicate any restricted zones where parking or pedestrian access is unsafe.
8. Participate in any and all post-tow hearings.