

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

July 10, 2026

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

Land Board Members:

SUBJECT: Mutual Cancellation of Revocable Permit No. 159 Issued to AccesSurf Hawaii Inc. for Storage and Related Operational Uses, Including Placement of a Container(s) and Vehicle, Located at Ala Wai Small Boat Harbor, Kālia, Waikīkī, Honolulu, Island of O‘ahu, Hawaii, Tax Map Key: (1) 2-6-010: portion of 016; And

Issuance of a Revocable Permit to AccesSurf Hawaii Inc. for Storage, Staging, and Related Operational Uses in Support of Adaptive Surfing and Ocean Recreation Programs, including Placement of Container(s), a Vehicle, and Adaptive Ocean Recreation Equipment, Located at Ala Wai Small Boat Harbor, Kālia, Waikīkī, Honolulu, Island of O‘ahu, Hawaii, Tax Map Key: (1) 2-6-010: portion of 016; And

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

APPLICANT:

AccesSurf Hawaii Inc. (AccesSurf), a 501(c)(3) Hawaii Nonprofit Corporation, whose mailing business address is P.O. Box 15152, Honolulu, Hawaii 96830.

LEGAL REFERENCE:

Section 171-13 and -55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portions of Government lands situated at Ala Wai Small Boat Harbor (Ala Wai SBH), Kālia, Waikīkī, Honolulu, Island of O‘ahu, Hawaii, Tax Map Key: (1) 2-6-010: portion of 016¹.

¹ [City and County of Honolulu Real Property Assessment Office Website - \(1\) 2-6-010: portion of 016](#)

(1) 2-6-010: portion of 016 - an irregularly shaped waterfront harbor parcel at Ala Wai SBH in Honolulu. It includes marina water areas, dock slips, paved harbor access areas, and nearby parking or service areas. The land is mostly flat and low-lying, with its boundaries shaped by the harbor basin, shoreline, docks, and surrounding roads.

AREA:

Approximately 4,500 square feet more or less.

ZONING:

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

TRUST LAND STATUS:

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

CURRENT USE STATUS:

Partially encumbered by Revocable Permit (RP) No. 157 issued to Secure Parking Hawaii LLC (Secure Parking) for vehicle parking management and partially encumbered RP No. 159 issued to AccesSurf Hawaii Inc. for approximately 1,200 square feet within the subject premises.

AccesSurf has requested an expanded footprint of approximately 4,500 square feet to better accommodate storage, staging, and related operational needs for its adaptive surfing and ocean recreation programs. Because the requested increase requires Board approval, staff recommend mutual cancellation of RP No. 159 and issuance of a new RP reflecting the expanded premises.

CHARACTER OF USE:

Storage, staging, and related operational uses in support of adaptive surfing and ocean recreation programs, including placement of container(s), vehicle, and adaptive ocean recreation equipment.

COMMENCEMENT DATE:

The first day of the month, to be determined by the Chair.

MONTHLY RENTAL RATE:

\$40.00 per month.

SECURITY DEPOSIT:

Twice the monthly rent.

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>

Staff notes that the DCCA website is currently under maintenance. Staff directly contacted the Business Registration Division via telephone to obtain confirmation of registration information.

JUSTIFICATION FOR REVOCABLE PERMIT:

AccesSurf currently operates under Revocable Permit No. 159 within Ala Wai SBH. AccesSurf requested a larger footprint to better accommodate its storage and operational needs and to avoid use beyond its permitted area. Because the requested expansion requires Board approval, staff recommend the mutual cancellation of RP No. 159 and issuance of a new RP reflecting the expanded premises.

The requested area is within a portion of the lot currently not used for vehicle parking and does not conflict with Secure Parking's parking operations. Secure Parking has no objection to the expanded AccesSurf footprint. Issuance of the new RP will allow AccesSurf to continue its public-serving use of the premises while DOBOR continues interim management of the lot and prepares the property for a future long-term disposition through a public Request for Proposals process.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules ("HAR") Section 11-200.1-15 and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred with by the Environmental Council on June 2, 2026, staff believes the subject request is exempt from the preparation of an environmental assessment pursuant to the following:

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."

The subject premises are located within Ala Wai SBH, which is used for public boating, shoreline access, ocean recreation, parking, and harbor support purposes. The proposed action involves the issuance of a revocable permit to AccesSurf for the continued use of a designated area within the harbor for adaptive ocean recreation programming and related support purposes.

The proposed use is consistent with the existing recreational and ocean access uses within Ala Wai SBH and is not expected to result in significant adverse environmental impacts. The area is within an established harbor setting and the proposed permit does not authorize any new permanent improvements, substantial ground disturbance, or change in use beyond that authorized by the revocable permit. Any future construction, expansion, or change in use not authorized by the revocable permit would require separate review and approval, as applicable.

Therefore, staff believe the subject request constitutes a de minimis action that is not anticipated to have any significant adverse effects on the environment. Staff recommend that the Board declare the action exempt from the preparation of an environmental assessment and the requirements of HAR Section 11-200.1-17.

CONSULTED AGENCIES:

Agency	Comments
Land Division (LD)	ODLO concurs with the EA exemption noted in the submittals and does not have any further comment on the submittals.
Office of Conservation and Coastal Lands (OCCL)	Not in the Conservation District.
Office of Hawaiian Affairs (OHA)	No Response by Suspense Date.

PUBLIC TRUST ANALYSIS:

Dispositions of ceded lands, including right-of-entry permits must be consistent with the public trust. In order to make that determination, the Board must consider the following:

1. Presumption in favor of public use.
2. Consideration of practicable alternatives.
3. Clear articulation of the decision.

Revocable permits issued by DOBOR are month-to-month, terminable authorizations for limited use of State lands. They do not convey any ownership interest and remain subject to the Board's discretion. The proposed action would mutually cancel RP No. 159 and issue a new RP to AccesSurf Hawaii Inc. for an expanded premises within Ala Wai SBH for storage, staging, and related operational uses supporting adaptive surfing and ocean recreation programs.

AccesSurf is a nonprofit organization that provides ocean access opportunities for individuals with disabilities. The proposed use supports public access to ocean recreation by allowing AccesSurf to store equipment near an accessible beach area and efficiently support its programs. The requested area is located within a roped-off portion of the lot where vehicles are not currently parking and is suitable for storage and operational support. The use does not interfere with boating, navigation, shoreline access, recreational activities, or current managed parking operations.

The practicable alternative would be to maintain the existing RP footprint. However, the existing area does not adequately address AccesSurf's operational needs and may result in continued pressure to use areas outside the current permit boundaries. Issuing a new RP for the expanded area provides a clearer and more manageable permit area, supports compliance, and allows DOBOR to maintain oversight of the site. Staff therefore find that mutual cancellation of RP No. 159 and issuance of a new RP is the most practicable alternative.

The proposed disposition is interim in nature and does not prevent DOBOR from pursuing a future long-term disposition of the larger property through a public Request for Proposals process. Staff find that the proposed action supports public use, provides a direct public benefit, and is consistent with DOBOR's responsibility to manage State harbor lands for the benefit of harbor users and the public.

BACKGROUND:

The subject premises are located within Ala Wai SBH and are part of the former haul-out area, now commonly referred to as the Gateway to Waikīkī Lot. The former haul-out area comprises approximately 38,376 square feet and was previously occupied by Ala Wai Boat Works, Ltd., later known as Ala Wai Marine, Ltd. The area was historically used for parking, storage, haul-out services, vessel repairs, and related harbor activities until it was vacated in February 2009.

At its meeting on March 24, 2022, under agenda item J-2, the Board approved the issuance of a revocable permit to Blue Water Shrimp International LLC for approximately 9,000 square feet of the former haul-out area for food service, performance, and low-volume music. At its meeting on October 11, 2024, under agenda item J-1, the Board approved the reissuance of that permit for the period beginning October 1, 2024 through November 30, 2024. As part of that action, Blue Water Shrimp International LLC was required to complete a Phase I Environmental Site Assessment. The assessment determined that the property had no active or historical environmental risks that would impede unrestricted use and that prior petroleum contamination associated with historical boatyard use had been remediated with Department of Health approval.

At its meeting on January 10, 2025, under agenda item J-3, the Board approved the issuance of a revocable permit to Secure Parking Hawaii LLC for vehicle parking management over the majority of the lot. The remaining areas of the premises have been

used for related interim purposes, including access for the contractor responsible for cleaning the trash catchment managed by DOBOR.

At its meeting on February 14, 2025, under agenda item J-4, the Board approved the issuance of Revocable Permit No. 159 to AccesSurf Hawaii Inc. for storage and related operational uses supporting adaptive surfing and ocean recreation programs. AccesSurf now requests a larger footprint to better support its operations and to keep its use within a clearly defined permitted area. Because the request involves an expanded area, staff recommend mutual cancellation of RP No. 159 and issuance of a new RP reflecting the revised premises.

REMARKS:

This request is administrative in nature and does not involve a new or unrelated character of use. AccesSurf currently operates under RP No. 159 for approximately 1,200 square feet for storage, staging, and related operational uses supporting its adaptive surfing and ocean recreation programs. AccesSurf is requesting to mutually cancel RP No. 159 and issue a new RP for approximately 4,500 square feet to reflect the larger area needed for its existing operations.

The requested expanded area is located within a roped-off portion of the lot where vehicles are not currently allowed to park. Secure Parking, which manages vehicle parking on the majority of the lot under RP No. 157, has no objection to AccesSurf's expanded use of the area. Staff have determined that the expanded footprint will not interfere with existing parking operations or surrounding harbor activities.

The additional area will support more efficient storage and movement of adaptive ocean equipment to and from the nearby accessible beach area. It will also establish a more accurate permit boundary, reduce the potential for use outside the permitted area, and assist DOBOR with site management and enforcement.

AccesSurf has assisted with site stewardship by picking up trash, removing or reporting illegally dumped items, and discouraging destructive or unauthorized activity in the area. Despite being subject to vandalism, including tagging of its storage container, AccesSurf has continued to help maintain the area and has requested the expanded footprint, in part, to install motion-activated flood lights in and around its permitted area to help deter illegal dumping, vandalism, and other unwanted activity. Staff will continue to coordinate with AccesSurf regarding site management measures to ensure the use remains compatible with harbor operations and public access.

Staff recommend approval of the mutual cancellation of RP No. 159 and issuance of a new revocable permit to AccesSurf Hawaii Inc. for approximately 4,500 square feet. The proposed use is compatible with surrounding harbor operations, supports public access to ocean recreation for individuals with disabilities, and preserves DOBOR's ability to pursue a future long-term disposition of the larger property.

The Applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to noncompliance with the terms and conditions of such disposition.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. Determine whether the proposed issuance of a revocable permit is consistent with the public trust. If the Board determines that this action is consistent with the public trust, then the Board is recommended to approve the following:
2. 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 project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
3. Authorize the mutual cancellation of Revocable Permit No. 159 issued to AccesSurf Hawaii Inc.
4. 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.
5. Authorize the issuance of revocable permit to AccesSurf Hawaii Inc. covering the subject area for storage, staging, and related operational uses in support of adaptive surfing and ocean recreation programs, including placement of container(s), a vehicle, and adaptive ocean recreation equipment 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 consent to sublease 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,



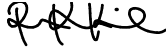
MEGHAN L. STATTS, Administrator
Division of Boating and Ocean Recreation

RH

BLNR - Mutual Cancellation of RP No. 159
And Issuance of a RP to AccesSurf Hawaii Inc.
TMK: (1) 2-6-010: portion of 016.

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APPROVED FOR SUBMITTAL:



RYAN K.P. KANAKA'OLE, Chairperson
Board of Land and Natural Resources