

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

September 27, 2013

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

Oahu

Issuance of Right-of-Entry Permit to Department of the Army, by its Family Morale Welfare and Recreation Program for Beach Activities Purposes to be held on October 5, 2013 at Haleiwa, Waialua, Oahu, Tax Map Key: (1) 6-2-003:Seaward of 010

APPLICANT:

Department of the Army, by its Family Morale Welfare and Recreation Program

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Haleiwa, Waialua, Oahu, identified as Tax Map Key: (1) 6-2-003:Seaward of 010, as shown on the attached **Exhibit A**.

AREA:

Not available.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) 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 8:00 am to 12:00 noon on October 5, 2013.

RENTAL:

Gratis.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as explained in **Exhibit B**.

DCCA VERIFICATION:

Government agency. Not applicable

REMARKS:

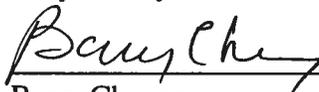
Department of the Army, by its Family Morale Welfare and Recreation Program is requesting a right-of-entry permit for beach activities purposes on October 5, 2013. The request involves kayak, stand up paddling group contests for the spouses of the service members. The requested area is seaward of the Anahulu River. Staff understands that the Division of Boating and Ocean Recreation ("DOBOR") has also advised the applicant of the need for a marine event permit over portions of the stream falling under the jurisdiction of DOBOR. No admission will be charged and no alcoholic beverages will be served on the beach.

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. No comments were requested from government or community agencies. Staff has 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 Department of the Army, by its Family Morale Welfare and Recreation Program for the beach activities purpose covering the subject area for 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.

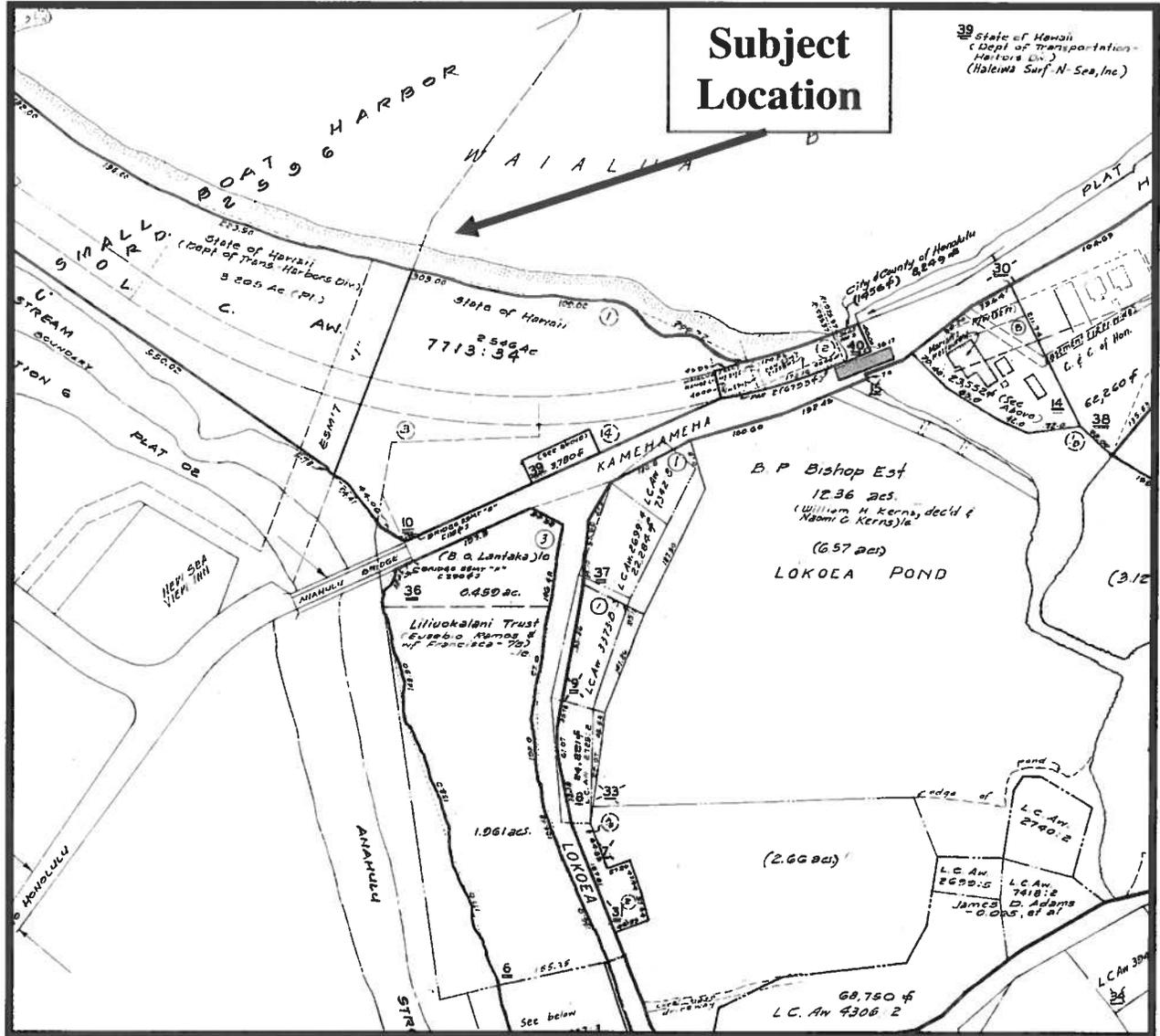
Respectfully Submitted,

  
Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
William J. Aila Jr., Chairperson





TMK (1) 6-2-003:SEAWARD OF 010

# EXHIBIT A

## EXEMPTION NOTIFICATION

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

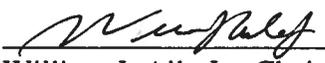
Project Title: Issuance of Right-of-Entry Permit to Department of the Army, by its Family Morale Welfare and Recreation Program  
Project / Reference No.: Not applicable  
Project Location: Haleiwa, Waialua, Oahu, Tax Map Key (1) 6-2-003:Seaward of 010  
Project Description: Beach Activities  
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

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. As such staff believes that the proposed event would involve negligible or no expansion or change in use beyond that previously existing.

Consulted Parties Not Applicable

Recommendation: That the Board find 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.

  
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William J. Aila Jr., Chairperson  
Date

**EXHIBIT B**