

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

August 14, 2015

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

PSF No. 15OD-106  
  
Oahu

Issuance of a Right-of-Entry Permit to Waikiki Roughwater Swim Committee, Inc.  
for a Swim Race Event to be held on Saturday, September 5, 2015, at Waikiki,  
Honolulu, Oahu, Tax Map Key: (1) 2-3-37:por. 21

APPLICANT:

Waikiki Roughwater Swim Committee, Inc.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waikiki, Honolulu, Oahu, identified as Tax Map Key:  
(1) 2-3-037: portion of 021, as shown on the attached **Exhibit 1**.

AREA

1,800 square feet, more or less

ZONING:

State Land Use District: Conservation/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 unencumbered

CHARACTER OF USE:

Swim Race Event

TERM:

From 5:30 a.m. to 1:30 p.m. on Saturday, September 5, 2015

RENTAL:

\$180.00 (A one-time payment based on 10¢ per square feet per day.)

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 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as explained in **Exhibit 2**.

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:

The Waikiki Roughwater Swim Committee, Inc. (WRSC) requests the issuance of a right-of-entry permit to use selected areas of the Duke Kahanamoku Beach for the finish of their 46th Annual Waikiki Roughwater Swim race event. The event is scheduled for Saturday, September 5, 2015. Equipment will be set-up on the permitted beach areas starting from 5:30 a.m. and torn-down by 1:30 p.m. Included within **Exhibit 3**, is a map furnished by the applicant delineating the selected beach areas requested for use relating to the subject event. A roped-off finish line area on the Duke Kahanamoku Beach located fronting the Hilton Hawaiian Village Hotel will consist of 1,100 square feet, and also include: timing equipment, an announcer's table and an area to remove race chips from the finished swimmers. WRSC

also requests the use of 200 square feet of beach area situated adjacent to the finish line for the setting up of two tents, serving medical doctor and first aid purposes. An additional 200 square feet of tented and table area is requested for "Clothes Pick-up". Further, the applicant requests the use of 200 square feet of beach area for the placement of a tent including tables for T-shirt distribution purposes. Lastly, a 100 square foot tented beach area is being requested for use as a water station. The right-of-entry permit request includes the use of a total amount of 1,800 square feet of beach area.

The 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.

There were no requests routed to government and/or community agencies for comments since there are currently no outstanding issues associated with this request.

RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343 HRS/ 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 June 5, 2015, 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 Roughwater Swim Committee, Inc. for the purpose of covering the subject area for the swim race event under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

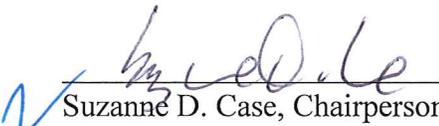
- a. The standard terms and conditions of the most current right-of-entry form, as may be amended from time to time; and
- b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
\_\_\_\_\_

Timmy Chee  
Land Agent

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson

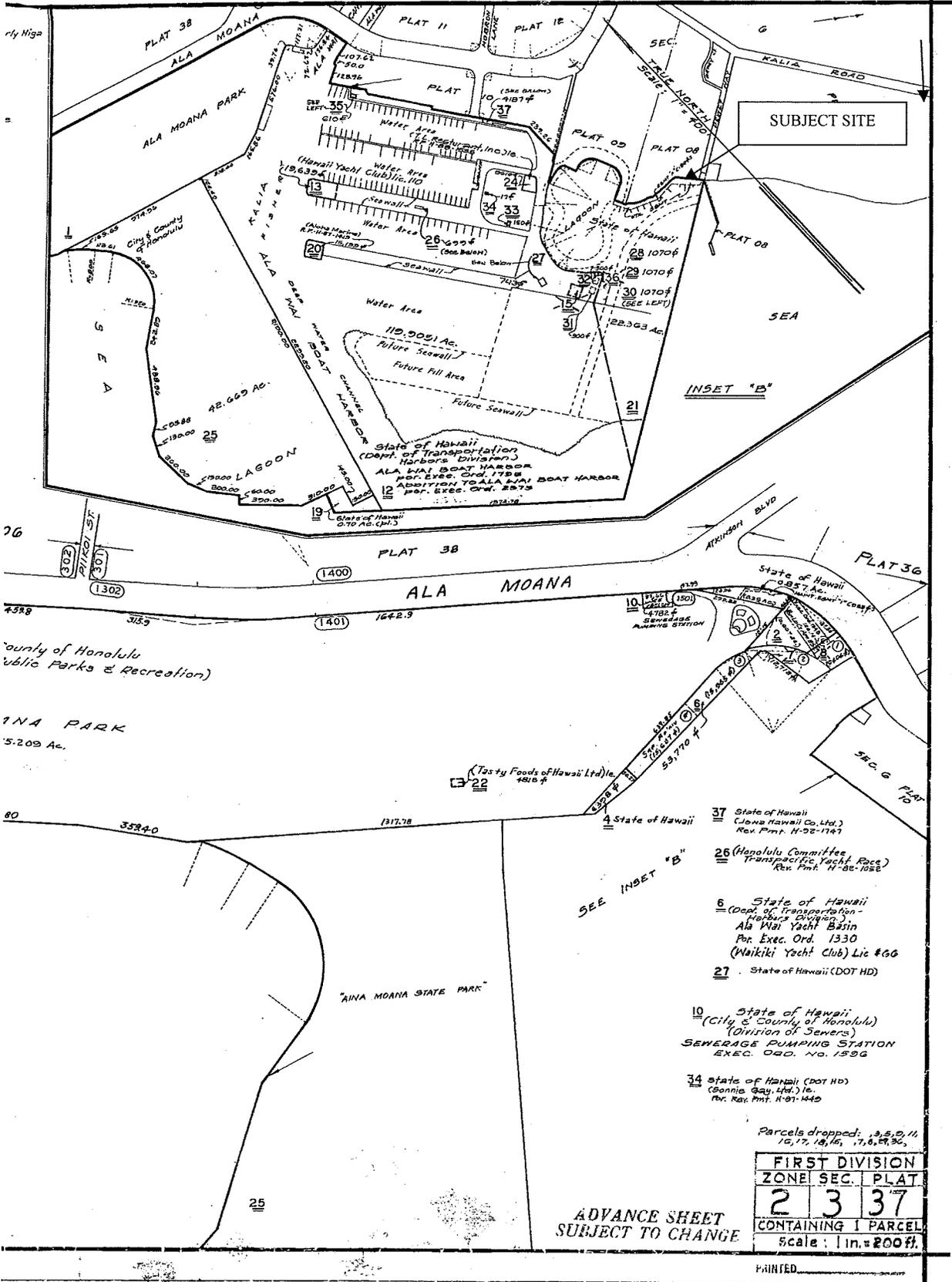


EXHIBIT 1

**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 Roughwater Swim Committee, Inc

Project / Reference No.: PSF 15OD-106

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of: 021.

Project Description: Swim Race Event

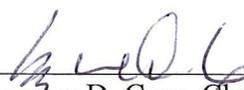
Chap. 343 Trigger(s): Use of State Land

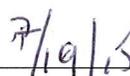
Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This 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: It is recommended that the Land Board find this project to have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

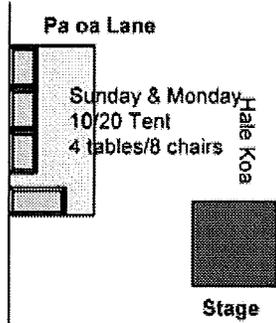
  
\_\_\_\_\_  
Suzanne D. Case, Chairperson

  
\_\_\_\_\_  
Date

# Waikiki Rough Water Swim

Finish Line/Beach set-up

Hilton Hawaiian Village



## Sidewalk

Beach Usage  
2 = 10 x 20 tents  
2 = 10x10 tents

Finish Line area = 1100 sq ft

Total Usage = 1800 sq ft

All remaining beach area is completely open to the public

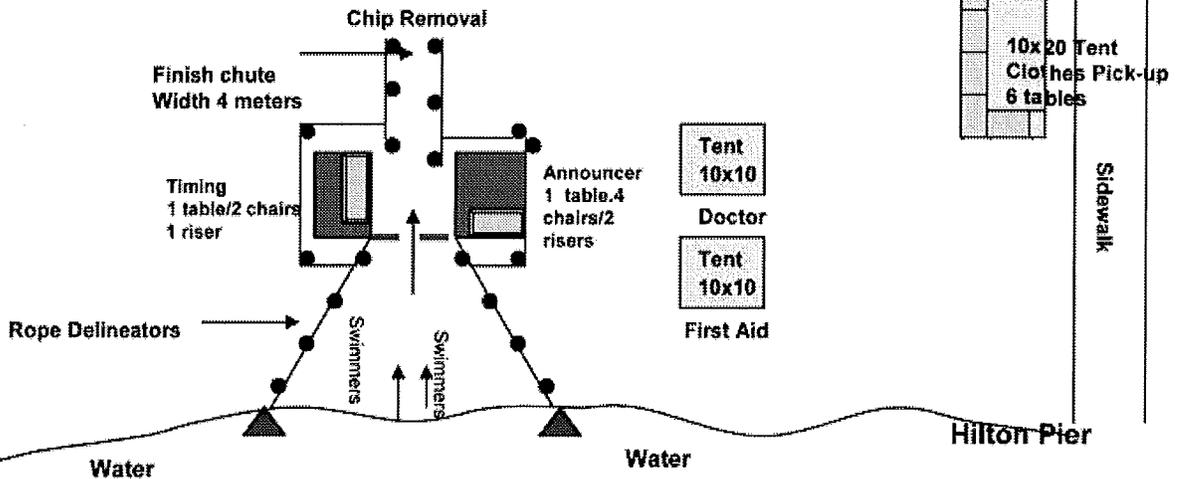
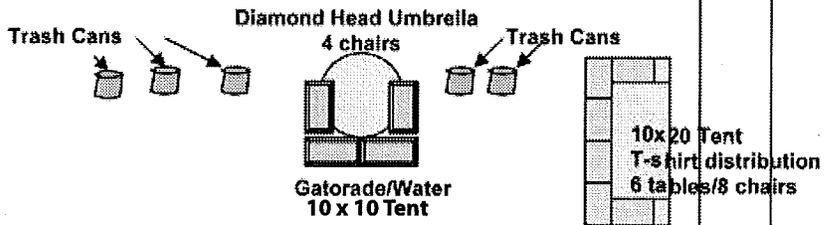


EXHIBIT 3