

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

January 11, 2013

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

PSF No. 12OD-167

Oahu

Issuance of Right-of-Entry Permit to Waikiki Community Center for Beach Activities
Purposes to be held on February 23 and 24, 2013 at Duke Kahanamoku Beach,
Honolulu, Oahu, Tax Map Key: (1) 2-3-37:portion of 21

APPLICANT:

Waikiki Community Center, a domestic non-profit corporation

LEGAL REFERENCE:

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

LOCATION:

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

AREA

Zone 1: 46,000 square feet
Zone 2: 150 square feet
Zone 4: 6,000 square feet
Total: 52,150 square feet

ZONING:

State Land Use District: 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 vacant and unencumbered

CHARACTER OF USE:

Beach activities purposes

TERM:

From February 23, 2013, 9:00 a.m. to February 24, 2013, 8:00 p.m.

RENTAL:

Waived. See Remarks Section

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:

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:

Waikiki Community Center (WCC) is requesting permission to conduct beach activities for its annual fund raising event on State property, located at Duke Kahanamoku Beach, and further shown on the map attached as **Exhibit C**.

The setting-up for the event is scheduled to begin on Saturday, February 23, 2013, from 9:00 a.m. and the event will be held between 9:00 a.m. and 5:00 p.m on the following day.

Members of the general public will be invited to participate in the event for the purpose of fostering good will with the prevailing commercial and residential interests located within Waikiki, and Honolulu. Planned beach activities include open ocean sprint canoe races, Hawaiian land makahiki games, stand up paddle relays, a Hawaiian craft and marketplace, live entertainment located upon the Hilton Hawaiian Village Hotel property and Duke Kahanamoku Beach, as well as a unique huki kaula or, tug of war, in the Duke Kahanamoku Lagoon. All amplified sound will be directed toward the hotel and its lagoon lawn.

WCC used to conduct the event in the past at Ala Wai Park. Due to the current sewer work project being conducted by the City and County of Honolulu, WCC had to look for alternative location. For the Board's information, the Board approved the similar request from WCC last year.

Hilton Hawaiian Village and the Hilton Grand Vacation Club will serve as sponsors to the event. Written concurrence from the Hilton and supporting letters from other organizations¹ are filed with the Division. WCC understands and is agreeable, that no advertising or commercial activities are allowed on the State owned beach.

The goal is to raise \$60,000 to fund operations that consist of educational and social services for the benefit of residents, employees and the visitors to Waikiki, and in particular, to benefit those who are in need. WCC requests the fee for the requested right-of-entry be waived and staff has no objections to this request.²

WCC 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 Waikiki Community Center for the beach activities purposes covering the subject area for under the terms and

¹ Waikiki Improvement Association, Waikiki Neighborhood Board, and Oahu Visitors Bureau provide their support to the request.

² The fee would be \$10,430 for the subject request.

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.

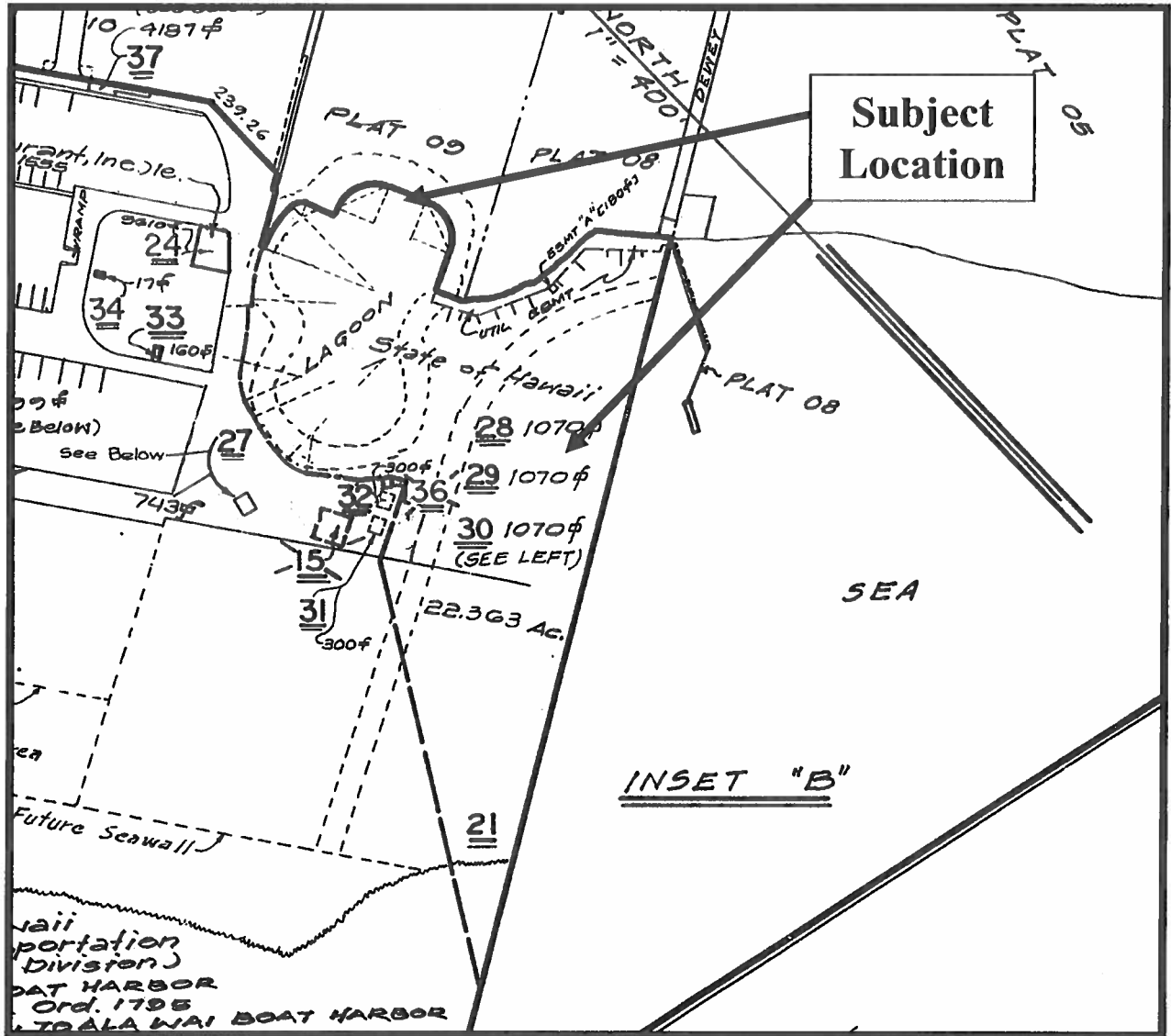
Respectfully Submitted,



Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


William J. Aila Jr., Chairperson



TMK (1) 2-3-037:PORTION OF 21

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 for the Waikiki Community Center
Project / Reference No.: PSF 12OD-167
Project Location: Waikiki, Honolulu, Oahu, Tax Map Key (1) 2-3-037:portions of: 021
Project Description: Beach Activities 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 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

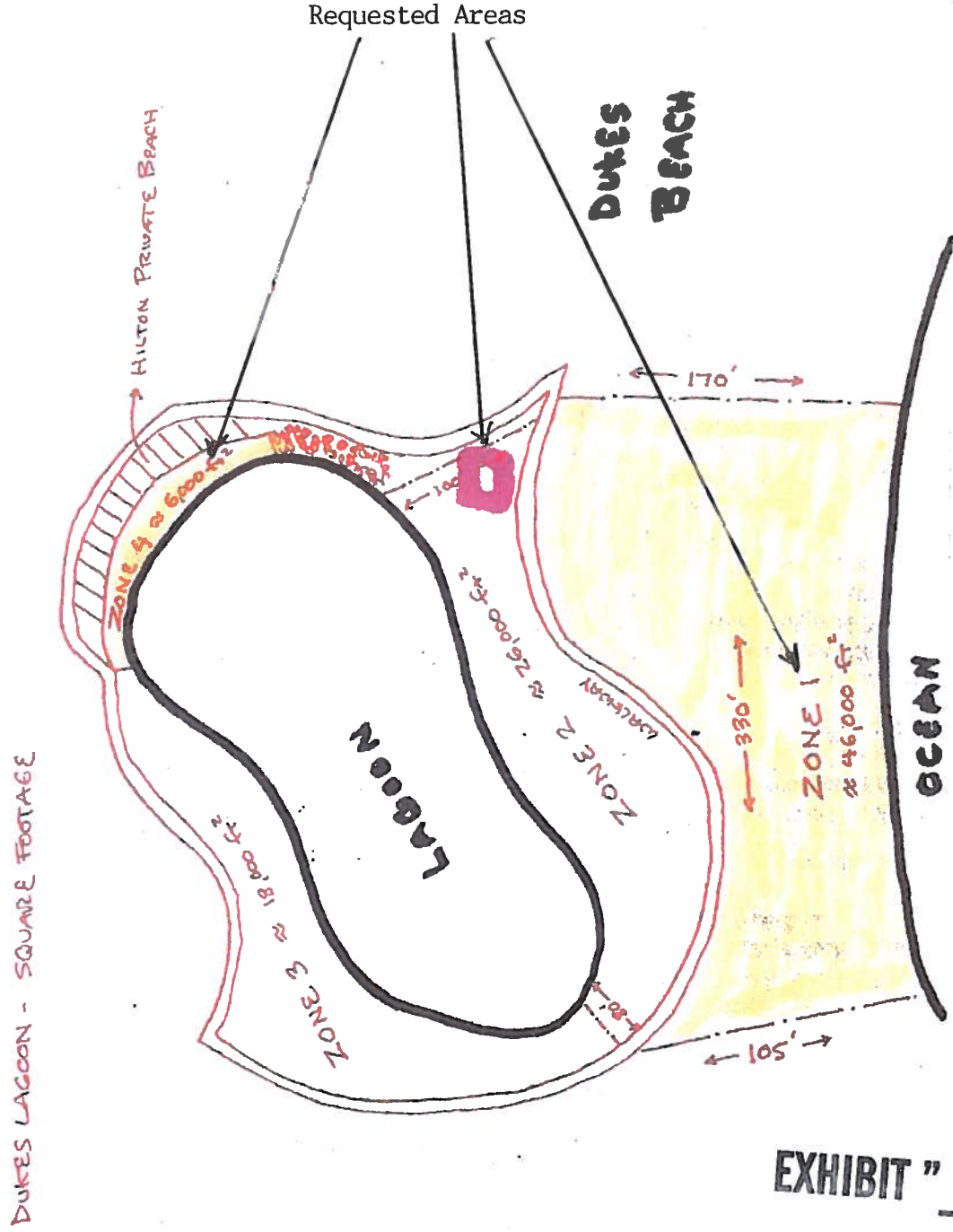
Recommendation: That the Board find this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



William J. Aila Jr., Chairperson
Date

EXHIBIT B

Requested Areas



DUKES LAGOON - SQUARE FOOTAGE

EXHIBIT "c"