

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

January 13, 2012

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

PSF No. 11OD-201

Oahu

Issuance of a Revocable Permit to Waikiki Community Center for Beach Activities Purposes at Duke Kahanamoku Beach, Honolulu, Oahu, Tax Map Key: (1) 2-3-37:portion of 21

APPLICANT:

Waikiki Community Center, a domestic non-profit organization

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 A1 & A2**.

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: Conservation

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 11, 2012, 9:00 a.m. to February 12, 2012, 8:00 p.m.

RENTAL:

Gratis. 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:

The 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, in Waikiki. See **Exhibit C1** and **C2**.

Included within Exhibit A2, is a map furnished by the applicant, describing the requested beach permit areas included within zones 1, 2 and 4, for the event.

The setting-up for the event is scheduled to begin on Saturday, February 11, 2012, from 9:00 a.m. and will be cleared the following day, on Sunday, before 8:00 p.m. Activities for the event is scheduled to begin on Sunday, February 12, 2012, from 9:00 a.m. to 5:00 p.m.

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. Sound effects will be amplified and directed towards the HHVH and its lagoon lawn.

According to the applicant, WCC had conducted similar events in the past, known as the Ala Wai Challenge. However, due to the current ongoing sewer work project being conducted by the City and County of Honolulu, WCC cannot stage the upcoming event at the Ala Wai Park. Fortunately, the Hilton Hawaiian Village Hotel (HHVH) had extended an invitation to WCC to allow for the event to occur upon its hotel grounds and Lagoon area instead.

According to the applicant, HHVH and the Hilton Grand Vacation Club will serve as sponsors to the event to raise income and visibility for WCC. WCC's goal is to raise \$60,000 to fund operations that consists 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. Thus, in the interest of supporting their cause, staff has no objections to the applicant's request to have its beach permit fee of \$10,430.00, waived.

WCC understands and is agreeable, that no advertising or commercial activities are allowed on the State owned 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.

Staff now brings the subject request to the Board for its approval.

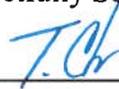
RECOMMENDATION: That the Board

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 revocable permit to Waikiki Community Center for the

purpose of covering the subject area for beach activities purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

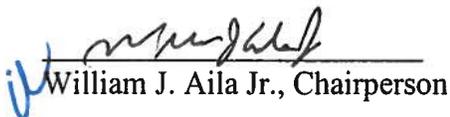
- a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



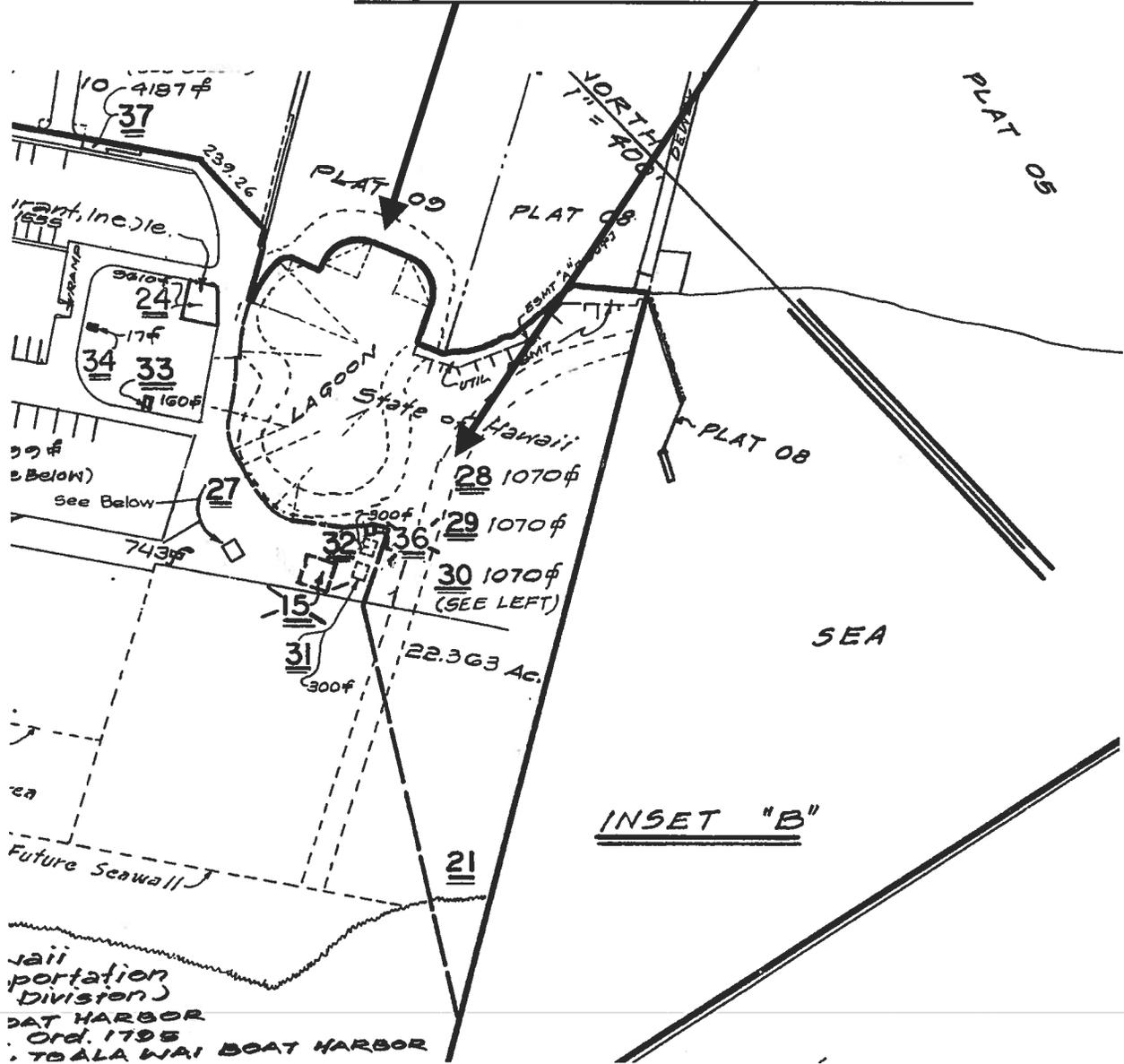
Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



William J. Aila Jr., Chairperson

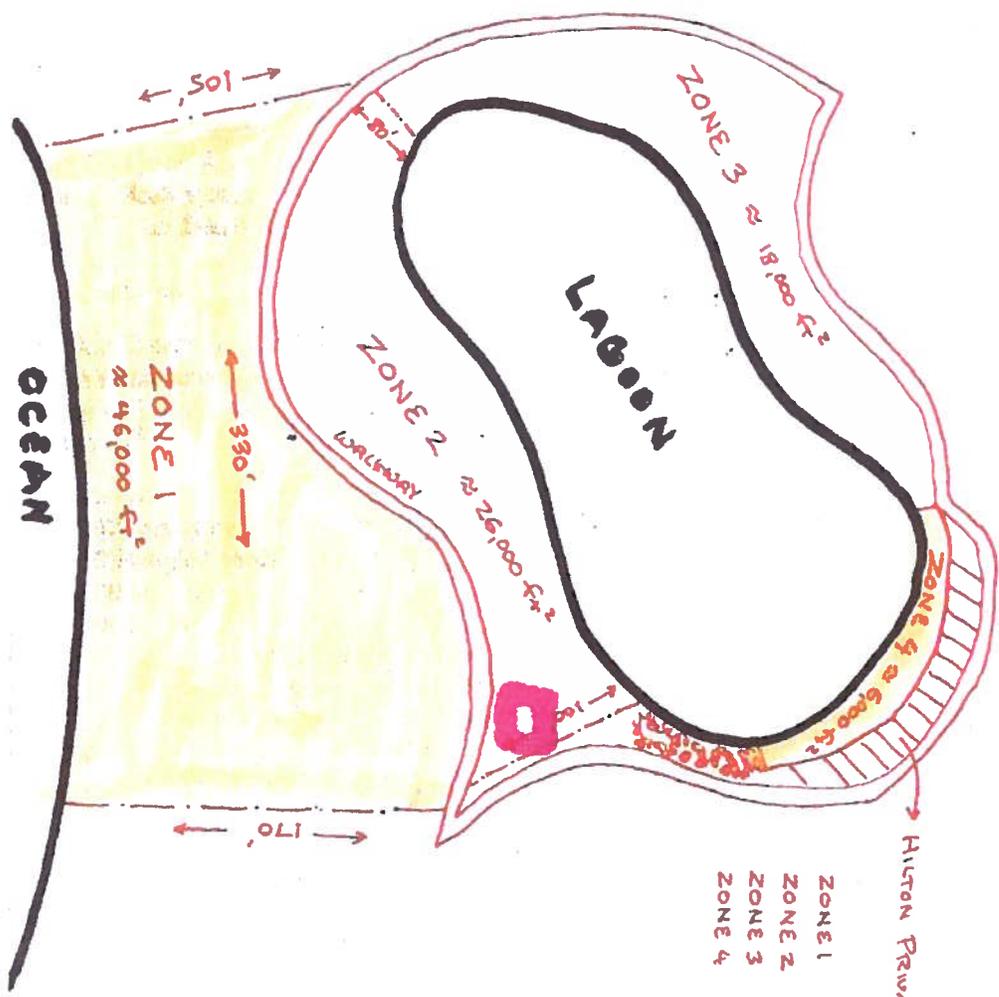
REQUESTED LAGOON BEACH AREAS:



TAX MAP KEY: (1) 2-3-037: PORTION OF 21

EXHIBIT A1

DUKES LAGOON - SQUARE FOOTAGE



ZONE 1	46,000 sq ft
ZONE 2	26,000 sq ft
ZONE 3	18,000 sq ft
ZONE 4	6,000 sq ft

Dukes Beach

EXEMPTION NOTIFICATION

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

Project Title: Issuance of Revocable Permit for the Waikiki Community Center

Project / Reference No.: PSF 11OD-201

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."

This Division 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.



 William J. Aila Jr., Chairperson



 Date

EXHIBIT B



WAIKIKI
COMMUNITY
CENTER

RECEIVED
LAND DIVISION

November 14, 2011

2011 NOV 25 P 3: 12

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W. Michael Lee
Interim Executive Director

Mr. Barry Cheung, Oahu District Land Agent
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

Re: Request for Non Exclusive Right of Entry on Duke Kahanamoku Beach and Duke Kahanamoku Lagoon February 11, 2012 and February 12, 2012.

Aloha, Barry:

The Waikiki Community Center ("WCC") hereby requests a Non-Exclusive Right of Entry for the portion of Duke Kahanamoku Beach that is located just makai of the Hilton Hawaiian Village Beach Resort and Spa Rainbow Tower and the portion of Duke Kahanamoku Lagoon Beach that is makai of the Lagoon Tower, and including the island in Duke Kahanamoku Lagoon.

The enclosed site plan shows the location of the requested beach areas (divided into zones) and Duke's Lagoon Island and their approximate size. The dimensions (which vary with the natural topography of the ocean and lagoon shorelines) for our requested Non-Exclusive Right of Entry are:

Zone 1 Duke Kahanamoku Beach 170 feet running Diamond Head-Ewa by 330 feet running mauka-makai for a total of 46,000 square feet;

Zone 4 Duke Kahanamoku Lagoon Beach 200 feet running Diamond Head-Ewa by 30 feet running mauka-makai for a total of 6,000 square feet;

The total area requested is 52,000 square feet.

310 Paoakalani Avenue
Honolulu, Hawaii 96815
Phone: 808 923-1802
Fax: 808 791-2099

Our Non-Exclusive Right of Entry request is for February 11, 2012 and February 12, 2012.

About the Waikiki Community Center and the Event Purpose

Long recognized as an integral part of the community the Waikiki Community Center has served as a safe gathering place where the social, health, educational and recreational needs of residents, employees and visitors have been met each day for over 32 years.

As a nonprofit organization WCC operates on DLNR property on Paoakalani Avenue, under a master lease. Its programs and services for the public are made possible through partnerships with the Waikiki Health Center and other tenants, and through its own operations funded through fees for service and effective fundraising.

The purpose for our request is to conduct an event that will welcome the general public and foster good will among the many businesses, hotels and residents of Waikiki and Honolulu. WCC will conduct Hawaiian open ocean sprint canoe races, Hawaiian land makahiki games,



EXHIBIT "C"

Mr. Barry Cheung, Oahu District Land Agent

stand up paddle (SUP) 4-man relay, Hawaiian craft and marketplace, live entertainment on Hilton Hawaiian Village Hotel property and on Duke Kahanamoku Beach and a unique huki kaula (tug-of-war) in the Duke Kahanamoku Lagoon.

WCC has operated a similar event – the Ala Wai Challenge - for the last 26 years. The ongoing City and County sewer work precludes WCC from staging this event at the Ala Wai Park, which prompted the Village to invite WCC onto its hotel property and Duke's Lagoon.

The Hilton Hawaiian Village Hotel and Hilton Grand Vacations Club have agreed to serve as title sponsors of this event and to lead a community-wide effort to raise contributed income and visibility for the Waikiki Community Center. Our goal is to raise \$60,000 to support the operation of educational and social services that serve the residents, employees and visitors in Waikiki, especially those in need.

Event Particulars

We would like to set up starting at 9:00 am on February 11, 2012 and take down and area cleared and cleaned before sunset on February 12, 2012.

February 11 will be used only for set up of team tents. The actual event will be conducted from 9:00 am to 5:00 pm on February 12, 2012. WCC expects to near 3,000 people in attendance on February 12, 2012.

Zone 1 and Zone 2 will be used for team tents. All amplified sound will be directed toward the Hilton Hawaiian Village Hotel and its lagoon lawn.

No alcoholic beverages will be served or allowed in any of the zones or on any public beach. There will be no advertising or commercial activities on the beach.

Lifeguards will be on duty at all times. Vendors in Waikiki and, Waikiki Beach Activities will supply equipment and personnel and the Hilton Hawaiian Village Beach Resort and Spa will serve as Event Host.

The required liability insurance for the event is provided by WCC and is enclosed with this letter. WCC will oversee the event. Hilton will maintain and clean up the area following the event.

We request that the fee be waived for this event as all of the proceeds derived from this event will go to support the services provided by WCC to the community.

We thank you for fully considering this request which, we hope, will yield a triple-bottom line benefit for visitors and residents of our community, financial benefit to sustain programs and services of the Waikiki Community Center and minimal impact on our natural resources.

Aloha,



W. Michael Lee
Interim Executive Director



WAIKIKI
COMMUNITY
CENTER

December 13, 2011

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Noel Trainor

W. Michael Lee
Interim Executive Director

310 Paoakalani Avenue
Honolulu, Hawaii 96815
Phone: 808 923-1802
Fax: 808 791-2099



Mr. Barry Cheung, Oahu District Land Agent
Department of Land and Natural Resources
P.O. Box 621
Honolulu, Hawaii 96809

Re: Supplemental Request for Non Exclusive Right of Entry on Duke Kahanamoku Beach and Duke Kahanamoku Lagoon February 11, 2012 and February 12, 2012.

Aloha, Barry:

The Waikiki Community Center would like to include this supplemental request to its November 14 proposal for a Non-Exclusive Right of Entry for the portion of Duke Kahanamoku Beach for its event on February 11th and 12th, 2012.

We propose to place an information tent in the corner of Zone 2, an additional 150 square feet. We have attached WCC's site plan to show you a proposed change. We have kept Zone 2 open for the general public's use, therefore we did not include it in our application. However, we need to place an information tent in the corner of the Zone 2, where we have drawn the red box.

This information tent will facilitate communication with the public during the hours of the event as well as to station our medical volunteers who will administer first aid.

We thank you,

W. Michael Lee
Interim Executive Director

Enclosure: Map, Zone 2

EXHIBIT "C2"