

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

February 14, 2025

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

Land Board Members:

SUBJECT: Issuance of Revocable Permit to Accessurf Hawaii, Inc. for Storage of a Containers and a Vehicle in the Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Key: (1) 2-6-010:016 (portion); And
Declare Project Exempt from Environmental Assessment Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules.

APPLICANT:

Accessurf Hawaii, Inc. a Hawaii Nonprofit Corporation, whose mailing business address is P.O. Box 15152, Honolulu, Hawaii 96830.

LEGAL REFERENCE:

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

LOCATION:

Portions of Government lands situated at Ala Wai Small Boat Harbor (“AWSBH”), Honolulu, Oahu, Hawaii, identified by Tax Map Keys: (1) 2-6-010:016 (portion), as shown on the attached map labeled **Exhibit A-1 and A-2**.

AREA:

Approximately 1,200 square feet, more or less. See **Exhibit A-3**.

ZONING:

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

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:

Partially encumbered by Secure Parking Hawaii LLC.

CHARACTER OF USE:

Storage of a vehicle and container, for adaptive surfing and water equipment.

COMMENCEMENT DATE:

February 14, 2025, through June 30, 2025.

MONTHLY RENTAL:

\$40.00 per month.

COLLATERAL SECURITY DEPOSIT:

Twice the Monthly Rental.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO
Registered business name confirmed:	YES	<u>X</u>	NO
Applicant in good standing confirmed:	YES	<u>X</u>	NO

JUSTIFICATION FOR REVOCABLE PERMIT:

Staff requires time to complete a Request for Proposal to secure a long-term tenant to manage and maintain the area. Issuing the Revocable Permit allows for Accessurf to use the space in the interim.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to 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.”

BACKGROUND:

The former haul out, now known as the Gateway to Waikiki Lot is approximately about 38,376 square feet. Previously occupied by Ala Wai Boat Works, Ltd. (later Ala Wai Marine, Ltd.), it was used for parking and storage until vacated in February 2009. In addition to haul-out services and repairs, Ala Wai Marine, Ltd. also served food to the boating community and the public.

At its meeting on March 24, 2022, under agenda item J-2, the Board approved the issuance of an RP to Blue Water Shrimp International LLC for approximately 9,000 square feet at the haul out for food service, performance, and playing of conversation-friendly music (low volume).

At its meeting on October 11, 2024, under agenda item J-1, the Board approved the reissuance of an RP to Blue Water Shrimp International LLC for the period beginning October 1, 2024, through November 30, 2024. As part of that submittal, Blue Water Shrimp International, LLC is required to conduct and submit to DOBOR a Phase I Environmental Assessment of the Premises within 30 calendar days from the date of the submittal, pursuant to Provision B-13 of Revocable Permit No. 138; or in the alternative, authorize DOBOR to arrange for the completion of a Phase I Environmental Assessment of the Premises, with all costs and related expenses of such to be fully paid by Blue Water Shrimp International, LLC.

The Phase I Environmental Assessment determined that the property has no active or historical environmental risks that would impede its unrestricted use. While the historical use as a boatyard introduced petroleum contamination, effective cleanup and DOH approval have rendered the site safe. The findings support the property's suitability for future development or continued use without significant environmental liabilities.

At its meeting on January 10, 2025, under agenda item J-3, the Board approved the issuance of a Revocable Permit (RP) to Secure Parking Hawaii LLC for the management of vehicle parking over approximately 38,082 square feet of the lot. The unused, uneven portion of the lot nearest to Ala Moana Boulevard will remain accessible for the contractor responsible for cleaning the trash catchment managed by DOBOR. Accessurf has expressed interest in utilizing approximately 1,200 square feet of the lot for their adaptive surfing program.

REMARKS:

Accessurf Hawaii, Inc. is a nonprofit organization dedicated to empowering individuals with disabilities by providing them with access to the ocean and water-based activities. Founded with the vision of fostering inclusivity and breaking barriers, Accessurf offers adaptive surfing, shoreline activities, and therapeutic programs that promote physical and

emotional well-being. One of its flagship initiatives, the *Waterman's Program*, focuses on creating meaningful ocean experiences for people with disabilities. Through this program, participants build confidence, improve physical mobility, and develop a sense of community while engaging in water sports and ocean safety education. Accessurf Hawaii, Inc. continues to inspire lives by transforming the beach into a place where everyone can thrive.

To support Accessurf's efforts, staff have been working with the organization to allocate a portion of the lot for a storage container and a designated parking space. This setup will facilitate the transport of equipment from the storage container to the nearby beach area, enhancing accessibility for individuals with disabilities. The storage container will provide a convenient and secure location to house equipment near the accessible beach, enabling smoother transitions for participants entering and exiting the water.

Staff recommends the issuance of the Revocable Permit to Accessurf Hawaii, Inc. The applicant has not had a lease, permit, easement, or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

RECOMMENDATION:

That the Board of Land and Natural Resources:

1. 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.
2. 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.
3. Authorize the issuance of Revocable Permit to Accessurf Hawaii, Inc. covering the subject area for storage of a vehicle and container, for adaptive surfing and water 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 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,



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

APPROVED FOR SUBMITTAL:



DAWN N.S. CHANG, Chairperson
Board of Land and Natural Resources

Attachments:

- A-1 Location on Oahu
- A-2 Location within Ala Wai Small Boat Harbor
- A-3 Close up of the square footage

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200.1, HAR

Project Title:	Issuance of Revocable Permit to Accessurf Hawaii, Inc. for Storage of a Containers and a Vehicle in the Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Key: (1) 2-6-010:016 (portion).
Project / Reference No.:	
Project Location:	Ala Wai Small Boat Harbor, Kalia, Waikiki, Honolulu, Oahu, Identified by Tax Map Key: (1) 2-6-010:016 (portion).
Project Description:	Issuance of Revocable Permit for Storage of a vehicle and container, for adaptive surfing and water equipment.
Chap. 343 Trigger(s):	Use of State lands
Exemption Class No(s).:	In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the Department of Land and Natural Resources, reviewed and concurred by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an Environmental Assessment pursuant to General Exemption Type 1, that states, "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."
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No, the request would involve no expansion or change in use of the subject area beyond that previously existing.
Action May have Significant Impact on Particularly Sensitive Environment?	Staff is not aware of any particularly sensitive environmental issues and use of the area would not change negligently from what is existing.
Analysis:	Based on the no expansion in the use of the subject area, staff believes there would be no significant impact to the environment.
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.

Exhibit A-1

Location on Oahu - Ala Wai Small Boat Harbor



Exhibit A-1

Exhibit A-2

Ala Wai Small Boat Harbor



Premises for Secure Parking
(1) 2-6-010:005 and (1) 2-6-010:016 (por.)

Premises for Accessurf Hawaii, Inc.
(1) 2-6-010:016 (por.)

Exhibit A-3



**Premises for Accessurf
Hawaii, Inc.**
(1) 2-6-010:016 (por.)
**Approx. 1,200 Sq. Ft. or
(30' x 40')**

20 FOOT CONTAINER

FENCE

40 FOOT CONTAINER

VAN

Pau Hana Place

Pink Sails Waikiki
Busier than usual

Three Tiki Sailing

1667

20 FOOT CONTAINER

24

Adventures

Exhibit A-3

