

Waikīkī Beach Self-Monitoring Measures

Vendors and hotels within the Waikīkī Beach Recreational Use Area (WBRUA) as defined in the Waikīkī Beach Recreational Use Guidelines, October, 2016 will self-regulate according to the attached guidelines for 2 months. After 2 months, ending January 31, 2017, the state will evaluate whether illegal storage of beach chairs and other equipment at Waikīkī beach has decreased, and opportunities for public use of the beach has increased. Should the situation deteriorate sooner than two months, DLNR reserves the right to enforce Hawai‘i Administrative Rules (HAR 13-255). Prior to any enforcement action, DLNR will notify individual vendors of complaints or observed violations regarding the illegal storage of property on the beach. The DLNR reserves the right to enforce HAR 13-255 without further warning. Vendors are responsible to notify the DLNR point of contact of any change in their contact information.

The State’s evaluation of the effectiveness of the self-enforcement within the WBRUA will be based on the following criteria:

1. Amount (%) of open beach space not occupied by beach equipment
2. Percentage of beach rentals unoccupied but with required hang tags.
3. Number of pre-set observations.
4. Number of beach storage observations.
5. Quality of lateral public access along shore and in the back beach.
6. Number of complaints related to beach equipment and storage.

The State will use the following definitions, which are consistent with its interpretation of the “no commercial activities” clause in HAR 13-255.

Pre-setting

Beach Equipment and /or watercraft that is set up or placed by a Vendor at a location within the WBRUA without the physical presence of such Customer to immediately use such Beach Equipment or Watercraft.

Beach Storage:

Beach Equipment or Watercraft that is not being used by a Customer and is set up and/or placed by a Vendor at a location within the WBRUA

Quality of lateral public access along the shore and in the back beach should be no less than ten feet.

Quality of public sunbathing areas—should be at least 20 feet from high wash of waves to nearest chair. Should not be only behind beach chairs.

DLNR staff will periodically monitor use of beach equipment and watercraft on the beach and may ask vendors to see their reservation logs.

Any party may ask to amend this agreement provided the proposed amendment is not contrary to HAR 13-255 or any other applicable state laws. All parties must agree to the amendment.