

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

December 9, 2016

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

Oahu

After-the-Fact Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Activities Purposes on December 5, 2016, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portion of 021.

APPLICANT:

Waikiki Beach Activities, Ltd.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037:portion of 021, as shown on the maps attached as **Exhibit A1** and **A2**.

AREA:

3,000 square feet, more or less.

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 8:30 a.m. to 6:30 p.m. on December 5, 2016, Monday.

RENTAL:

\$300.00 (one-time payment)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources concurred with 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, Item 51. Chairperson has declared the request exempt from the preparation of an environmental assessment.

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 Beach Activities, Ltd. is requesting a right-of-entry permit over a portion of the Duke Kahanamoku Lagoon as depicted on Exhibit A2 for beach activities purposes to be held on December 5, 2016 in relation to the stay about 50 visitors of the Grueninger Music Group at the adjacent hotel. There will not be any amplified sound or music used, but beach chairs, volleyball court, and other beach equipment will be placed within the subject location.

Written request was submitted by the applicant and received by the Department on October 27, 2016¹, i.e. more than four (4) weeks prior to the event date. Due the Board schedule during the holidays season, the request cannot be placed on the Board agenda

¹ Deadline for November 10, 2016 Board submittal due to the Board Secretary was October 26, 2016.

before the event date. Pursuant to the authority delegated by the Board on June 14, 2013, Item D-11, Chairperson issued a right-of-entry dated November 4, 2016 for the subject request.

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 solicited from government or community agencies. Staff does not have any objection to the request.

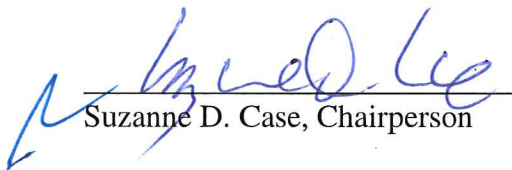
There are no other pertinent issues or concerns, and staff recommends the Board authorize the issuance of an after-the-fact right-of-entry permit described above.

RECOMMENDATION: That the Board authorize the issuance of an after-the-fact right-of-entry permit to Waikiki Beach Activities, Ltd. covering the subject area for beach activities purposes under the terms and conditions cited above.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson

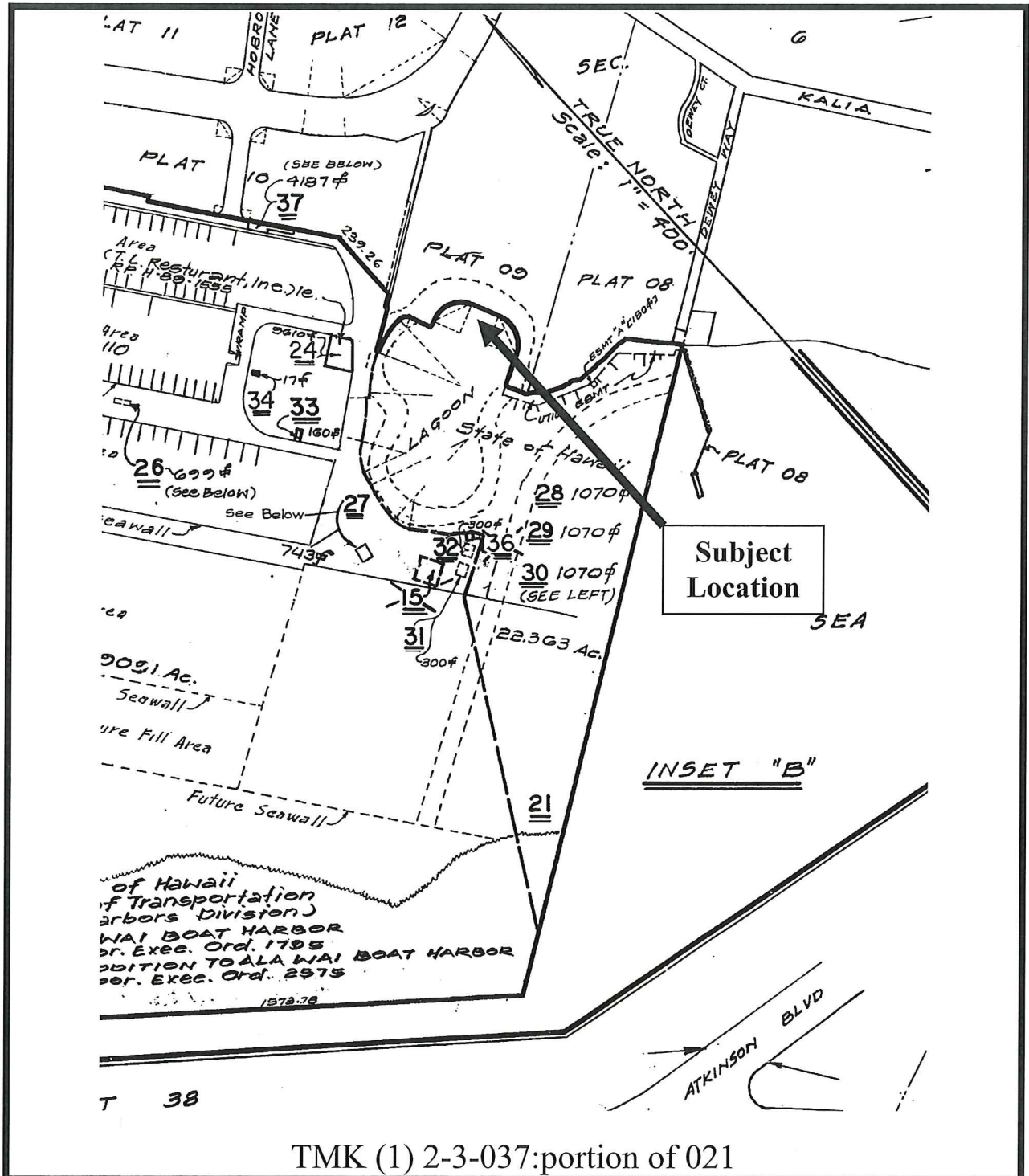


EXHIBIT A1

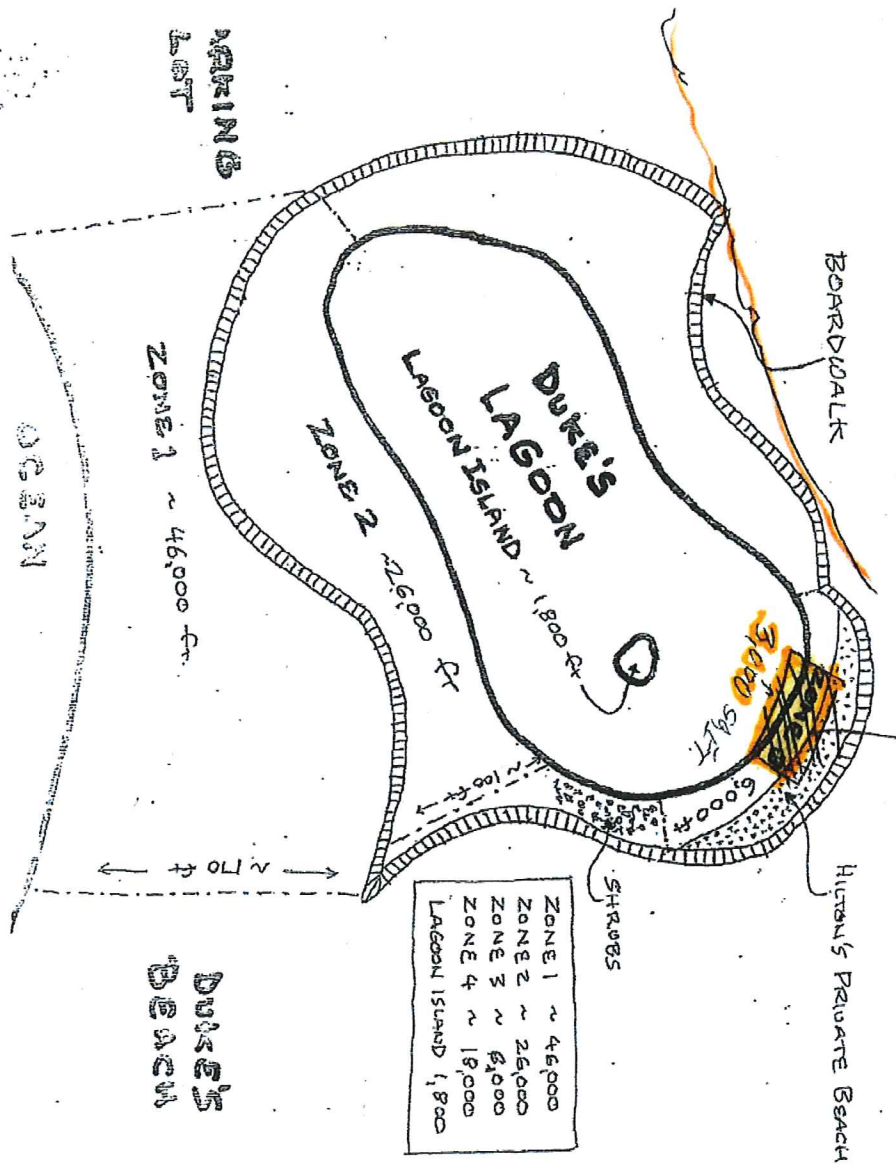


EXHIBIT A2