

State of Hawaii
Department of Land and Natural Resources
Division of Conservation and Resources Enforcement
Honolulu, Hawaii

December 9, 2016

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

OAHU

Request to Close Portions of the Kawainui Canal and Unencumbered State Lands from December 14, 2016 to January 3, 2017 (inclusive); Issuance of Right-of-Entry Permit to United States Secret Services to Support Any Appropriate Activity Related to the Security of the Protectee(s) in United State Secret Services Charge; Kailua, Koolaupoko, Oahu; TMK (1) 4-3-022:Seaward and Portions of 002, (1) 4-3-083:Seaward of 003, 004, 008 to 010.

BACKGROUND:

United States Secret Services (USSS) request the issuance of a right-of-entry permit of the subject area depicted on **Exhibit A** from 12:00 a.m. on December 14, 2016 to 11:59 p.m. on January 3, 2017, or completion of the activity, whichever is the earlier, for their appropriate activity related to the security of the protectee(s) in USSS’s charge.

During the requested period, the subject area will prohibit and/or restrict public access. USSS agree to maintain and keep the area in a neat, clean and sanitary condition. Upon completion of the event, USSS shall be responsible for restoring the area to its original condition or a condition satisfactory to the Department. Furthermore, all trash, if any, shall be removed from the area.

The requested area consists of unencumbered public lands and a portion of Kawainui Canal set aside to the City and County of Honolulu pursuant to Governor’s Executive Order No. 2130 for flood control and drainage project purposes. Staff understands the City has no objection to the requested right-of-entry permit.

§13-221-4, Hawaii Administrative Rules “Closing of areas. The board or its authorized representative may establish a reasonable schedule of visiting hours for all or portions of the premises and close or restrict the public use of all or any portion thereof, when necessary for the protection of the area or for the safety and welfare of persons or property, by the posting or appropriate signs indicating the extent and scope of closure. All persons shall observe and abide by the officially posted signs designating closed areas and visiting hours.”

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 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 42, “actions that are intended to maintain or support the sustainability of those natural resources under the jurisdiction of the Department, including law enforcement, regulation compliance, resources and environmental monitoring, debris or property removal, and other administrative and management measures.” (**Exhibit B**).

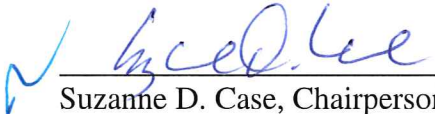
RECOMMENDATION: That the Board

1. Declare that, after considering the potential effects of the request as provided by Chapter 343, Hawaii Revised Statutes and Chapter 11-200, 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. Authorize the closure of the subject area described herein;
3. Authorize the issuance of right-of-entry permit to the United States Secret Services subject to the terms and conditions described above.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



TMK (1) 4-3-022:Seaward and Portions of 002, (1) 4-3-083:Seaward of 003, 004, 008 to 010.

EXHIBIT A

EXEMPTION NOTIFICATION

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

Project Title: Closure of Portions of Kawaiianui Canal and Unencumbered State Lands and Issuance of Right-of-Entry Permit to United States Secret Services from December 14, 2016 to January 3, 2017.

Project / Reference No.: Not applicable

Project Location: Kailua, Koolaupoko, Oahu; TMK (1) 4-3-022:Seaward and Portions of 002, (1) 4-3-083:Seaward of 003, 004, 008 to 010.

Project Description: Support Security Requirements

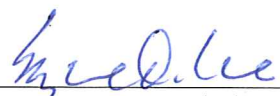
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Sections 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 42, "actions that are intended to maintain or support the sustainability of those natural resources under the jurisdiction of the Department, including law enforcement, regulation compliance, resources and environmental monitoring, debris or property removal, and other administrative and management measures."

The subject request is necessary to allow the law enforcement perform the law enforcement activities for the security of the protectee(s) during the requested period.

Consulted Parties Division of Conservation and Resources Enforcement.

Recommendation: That the Board finds 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.



Suzanne D. Case, Chairperson
Date Nov. 21, 2016

EXHIBIT B