

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

January 13, 2017

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

PSF No.: 16OD-175

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Activities Purposes on January 22 and 28, 2017 and February 14, 15, 16, and 25, 2017, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portions 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:portions of 021, as shown on the map attached as **Exhibit A**.

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

AREA, TERM, and RENT:

	Nu Skin Group	Ishida Group	Philip Morris Group
Date	Jan 22, 2017	Jan 28 and Feb 25, 2017	Feb 14 to 16, 2017
Time	8:30 pm to 9:30 pm	8:00 am to 6:00 pm	8:00 am to 6:00 pm
Area (sf)	2,000 (one day)	10,000 (two days)	3,000 (three days)
Rent	\$200	\$2,000	\$900
Purposes	Watching fireworks show ¹	Team-building activities	Stage associated with the event held on the hotel's lawn
Color on Exh. A	Blue	Yellow	Red

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 reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51. See exemption declaration attached as **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed: YES X NO
Registered business name confirmed: YES X NO
Applicant in good standing confirmed: YES X NO

REMARKS:

Waikiki Beach Activities, Ltd. is requesting a right-of-entry permit over portions of the Duke Kahanamoku Beach as depicted on Exhibit A1 to A3 for beach activities purposes to be held on dates mentioned above. Three (3) different groups from Japan will stay at the abutting hotel and respective beach activities mentioned above are planned for the guests on the requested dates.

On the event dates, beach volleyball court, tent, beach chairs, and stage will be placed within the requested location. Applicant will ensure public access to the beach will be maintained at all times and security will be in place all night for the event held from February 14 to 16, 2017. Applicant will set up the stage on Feb 14, 2017 for the event to

¹ Request for ROE for fireworks display is covered by a separate request on today's agenda.

be held on the following day. All materials/equipment will be removed from the area on February 16, 2017. No alcoholic beverages will be served on the beach and any public address system will be used with speakers directed at the hotel.

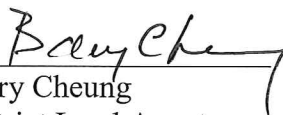
Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions. No comments were solicited from government or community agencies. Staff does not have any objection to the request.

There are no other pertinent issues or concerns, and staff does not have any objection to the request.

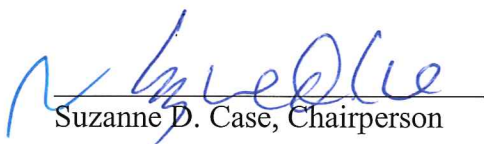
RECOMMENDATION: That the Board:

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 right-of-entry permit to Waikiki Beach Activities, Ltd. covering the subject area mentioned above 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 right-of-entry permit form, as may be amended from time to time;
 - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:


Suzanne D. Case, Chairperson



TMK (1) 2-3-037:Portions of 021

Notes: Polygons shown are only for illustrations only, and they do not represent the requested areas individually. Ishida Group and Philip Morris Group will be using the same location on different dates and area.

EXHIBIT A

EXEMPTION NOTIFICATION

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

Project Title:	Beach Activities Purposes on Duke Kahanamoku Beach
Project / Reference No.:	PSF 16OD-175
Project Location:	Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portions of 021.
Project Description:	Beach activities purposes
Chap. 343 Trigger(s):	Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred by the Environmental Council on June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which reads “[p]ermits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing”.

The Board 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: Office of Conservation and Coastal Lands

Recommendation: It is recommended that the Board find that 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 12/21/16

EXHIBIT B