

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

March 9, 2018

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

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Activities Purposes from March 24 to 27, 2018, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portion of 021.

APPLICANT:

Waikiki Beach Activities, Ltd.

LEGAL REFERENCE:

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

LOCATION & AREA:

46,000 square feet, more or less, situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037:portion 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

TERM:

From 8:00 a.m. on March 24, 2018, Saturday to 6:00 p.m. on March 27, 2018, Tuesday.

RENTAL:

\$18,400.00 (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 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, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," Item 51 that states, "permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing." See **Exhibit B**.

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. ("WBA") is requesting a right-of-entry permit over a portion of the Duke Kahanamoku Beach as depicted on Exhibit A for beach event purposes to be held on March 25<sup>th</sup> and 26<sup>th</sup>, 2018. WBA also requests the days before and after the event for set-up and clean-up respectively. Therefore, the requested days cover March 24<sup>th</sup> to 27<sup>th</sup>, 2018. A team-building beach event is planned for the Amway Japan Group, with approximate 1,500 participants on the requested date.

No alcoholic beverages will be served on the beach and a small public address system will be used with speakers directed at the hotel. There will be two (2) security people

posted during the night time. Public access to the shoreline will not be prohibited.

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.

Division of Boating and Ocean Recreation and Office of Conservation and Coastal Lands have no comment 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 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; and
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

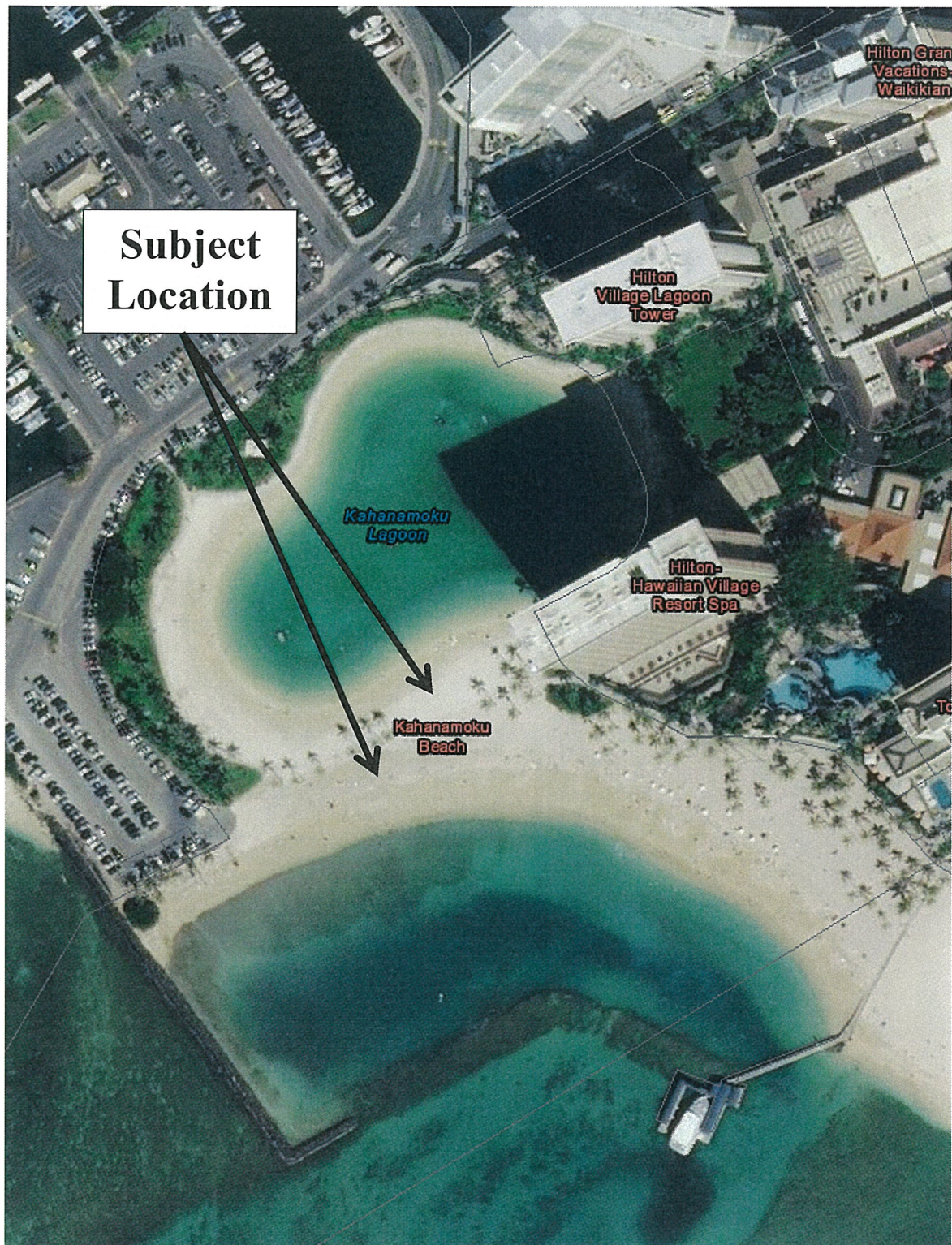
Respectfully Submitted,

  
Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

  
Suzanne D. Case, Chairperson

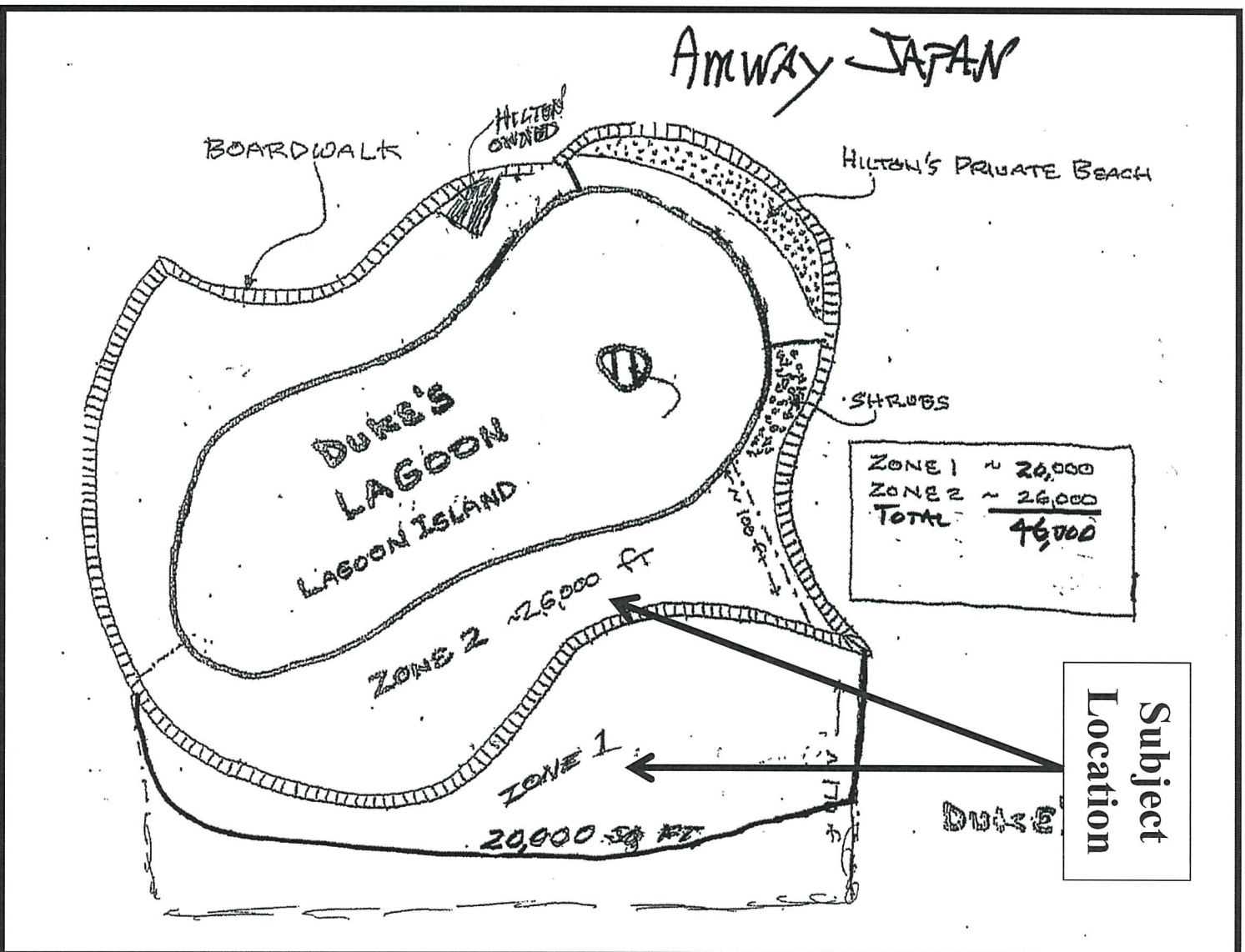




TMK (1) 2-3-037:portion of 021

**EXHIBIT A1**





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

EXHIBIT A2

### **EXEMPTION NOTIFICATION**

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

Project Title: Beach Event Purposes on Duke Kahanamoku Beach from March 24 to 27, 2018

Project / Reference No.: ROE 2018

Project Location: Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portion of 021.

Project Description: Team building beach event.

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, "Operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing," Item 51 that states, "permits, 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: Agencies as noted in the submittal.

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.

## **EXHIBIT B**