

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

February 8, 2019

Ref. No.: 18KD-152

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

**KAUAI**

Issuance of Right-of-Entry Permit to Eleanor Soucy on behalf of Robertson Heating Supply for Beach Olympics Event, Over Unencumbered State Lands at Kalapaki Beach, Kalapaki, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

**APPLICANT:**

Eleanor Soucy, Program Manager, HMS Global Solutions.

**LEGAL REFERENCE:**

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

**LOCATION:**

Portion of Government lands of Kalapaki Beach situated at Kalapaki, Lihue, Kauai, identified as the beach seaward of Tax Map Key: (4) 3-5-002:002, as shown on the attached map labeled Exhibit A.

**AREA:**

1,000 square feet, more or less.

**ZONING:**

State Land Use District:	Conservation
County of Kauai CZO:	Urban

**TRUST LAND STATUS:**

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution:

YES \_\_\_\_ NO   x

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Beach Olympic Event purposes.

TERM OF RIGHT-OF-ENTRY:

February 28, 2019, from 10:00 am to 12-noon.

RENTAL:

\$100.00. (1,000 square feet at \$0.10 per square foot)

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Exhibit C

DCCA VERIFICATION:

As an individual, Applicant is not required to register with DCCA.

REMARKS:

On January 18, 2019, the Hawaii District Land Office received an application from Eleanor Soucy, Program Manager, HMS Global Solutions (an event planning company), on behalf of the Robertson Heating Supply. The application is for a right-of-entry permit to conduct a corporate retreat activity resembling a Beach Olympic Event upon unencumbered State lands at Kalapaki Beach. The Robertson Heating Supply Company is a corporate guest at the Kauai Marriott Resort Hotels Hawaii. The event will be for only two hours on February 28, 2019, between the hours of 10:00 am to 12:00 noon. Activities planned would include such games as coconut toss, water balloon toss, hula hoop relay and basketball pass & shoot. The dimensions of the beach area required will be about 20 square feet by 50 square feet, for a total of 1,000 square feet. There will be no vendors/concession tents upon the permit area.

On January 19, 2019, the Office of Conservation and Coastal Lands (OCCL) was contacted for comments to the request. Sam Lemmo, Administrator of OCCL responded having no objections.

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.

Staff does not have any objections to the request.

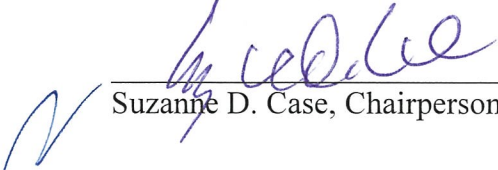
RECOMMENDATION: That the Board

- A. 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.
- B. Authorize the issuance of a right-of-entry permit to Eleanor Soucy on behalf of the Robertson Heating Supply Company, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - 1. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
  - 2. Permittee shall submit a check in the amount of \$100, made payable to the Department of Land and Natural Resources for this right-of-entry Permit;
  - 3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
\_\_\_\_\_  
Wesley T. Matsunaga  
District Land Agent

APPROVED FOR SUBMITTAL:

  
\_\_\_\_\_  
Suzanne D. Case, Chairperson

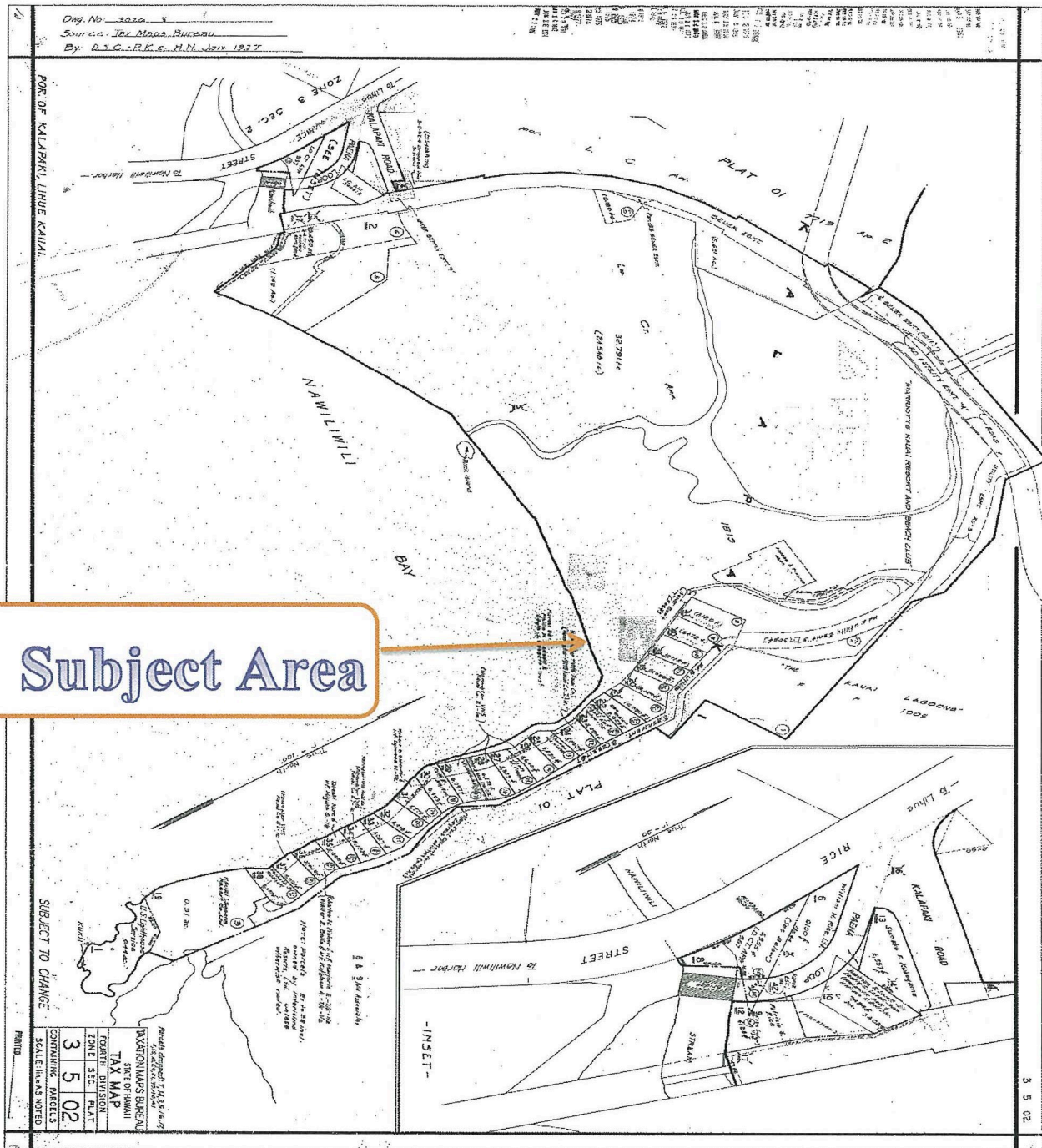
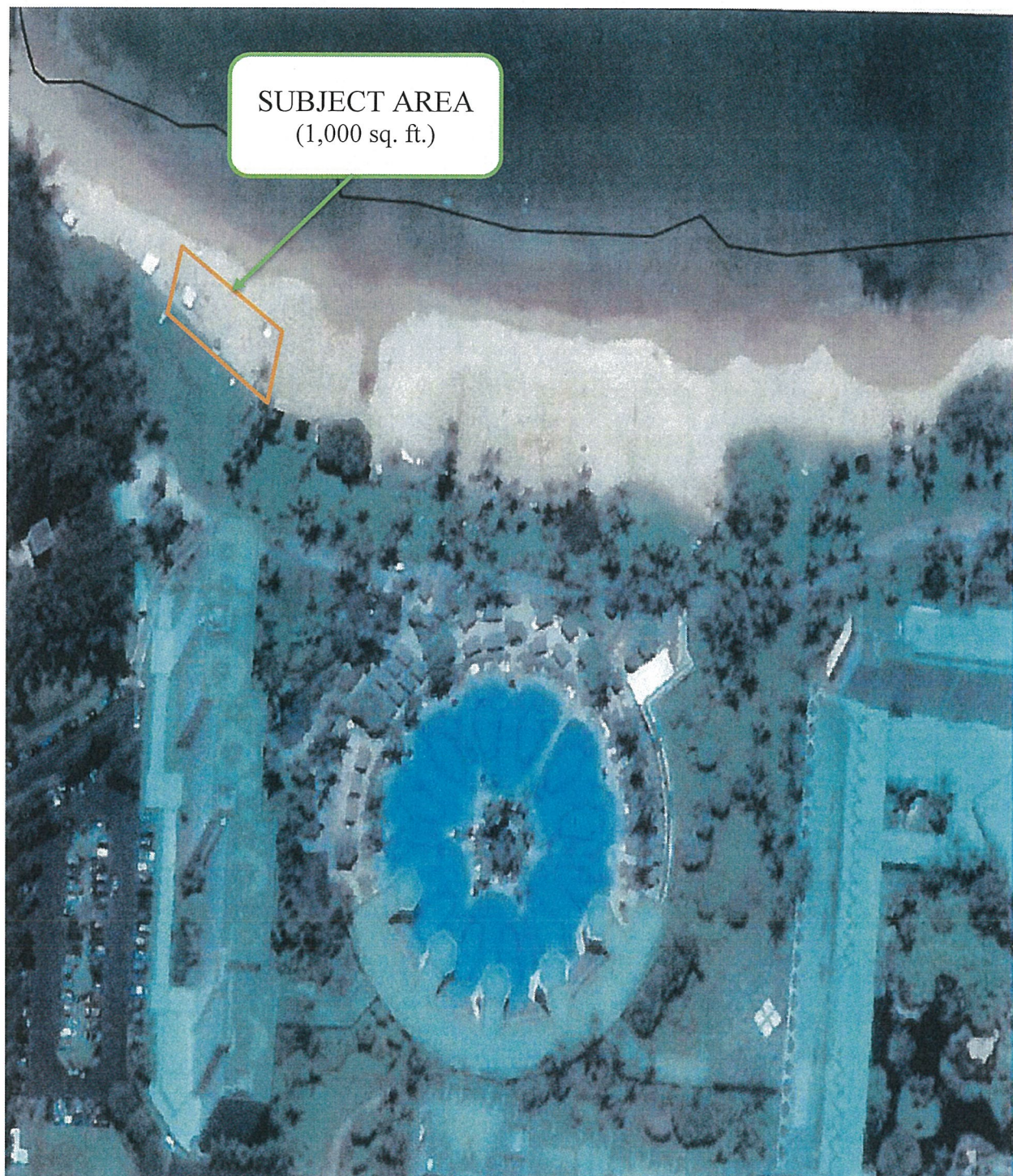


EXHIBIT A





**EXHIBIT A**



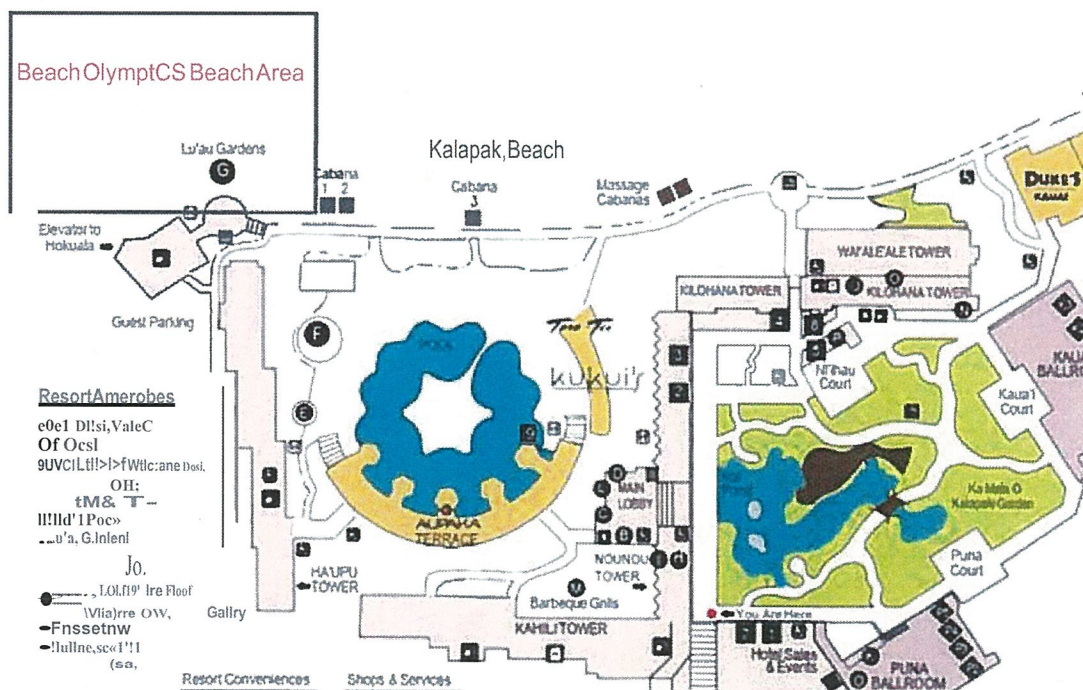
Good Morning Wesley and thank you again for the details regarding securing a permit for beach use for our planned Beach Olympics event in February 2019.

Our group is Robertson Heating Supply and the event will be held on some portion of the beach & the pool at the Marriott Kauai on Thursday, February 28, 2019 from approximately 10:00am – 11:30am or 12:00pm. The anticipated numbers of participants is approximately 50.

The games to be played on the beach include:

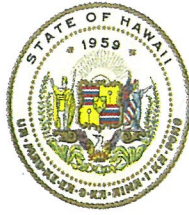
- **Where's the Beach** - Each team member will be blindfolded as they attempt to maneuver the course while their teammates assist by giving vocal directions. The blindfolded member will retrieve a beach-type item then return to the starting line.
- **Coconut Toss** - Take aim as you try to score the most points by rolling a coconut in the various target areas.
- **Water Balloon Toss** - Each team will toss their team's water balloons to their teammates who must catch them.
- **Hula Hoop Relay** - One at a time, team members must complete ten revolutions in any manner in order to hand the hula hoop to the next team mate. The first team to have all of its team members complete the revolutions is the winner.
- **Trash Talk basketball pass and shoot**

Below is the proposed section of beach that we would like to use for the event:



**EXHIBIT B**

DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION**

3060 Eiwa Street, Room 208  
Lihue, Hawaii 96766  
PHONE: (808) 274-3491  
FAX: (808) 241-3535

February 8, 2019

**EXEMPTION NOTIFICATION**

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

Project Title: Issuance of Right-of-Entry Permit to Eleanor Soucy on behalf of Robertson Heating Supply for Beach Olympic activities upon Unencumbered State lands at Kalapaki Beach, Kalapaki, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

Project / Reference No.: PSF No.: 18KD-152

Project Location: Kalapaki, Lihue, Kauai, Tax Map Key: (4) 3-5-002: seaward of 002.

Project Description: Right-of-Entry to Eleanor Soucy on behalf of Robertson Heating Supply for Beach Olympic activities.

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

Exemption Class No. and Item No.: In accordance with Hawaii Administrative Rule Sections 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved 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, which states, "Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing."

**EXHIBIT C**

Permits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing.”

Cumulative Impact of  
Planned Successive  
Actions in Same Place  
Significant:

No. the request is a single occurrence in the area.

Action May Have  
Significant Impact on  
Particularly Sensitive  
Environment:

No. the action proposed will have no significant impact to any particularly sensitive environment.

Analysis:

In the past, permits were issued for similar type of events on the beach in this area, which have resulted in no known significant impacts to the natural and environmental resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties:

County Planning and the Office of Conservation and Coastal Lands.

Recommendation:

It is anticipated this activity will probably have minimal or no significant effect on the environment as over the years, several other beach activities have been held at Kalapaki Beach. As a result, it will involve minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.