

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

February 22, 2019

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

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Placing a Sign at Duke Kahanamoku Lagoon from March 3 to 5, 2019 in relation to the Luau to be held on the Abutting Private Property, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: Portions of 021.

APPLICANT:

Waikiki Beach Activities, Ltd.

LEGAL REFERENCE:

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

LOCATION & AREA:

1,800 square feet, more or less, situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037: portions of 021, as shown on the map attached as **Exhibits 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:

Placing a sign purposes.

TERM:

From 8:00 a.m. on March 3, 2019 (Sunday) to 6:00 p.m. on March 5, 2019 (Tuesday).

RENTAL:

\$540.00 (one-time payment)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the Exemption List for the Department of Land and Natural Resources, concurred and reviewed 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	___
Registered business name confirmed:	YES	<u>X</u>	NO	___
Applicant in good standing confirmed:	YES	<u>X</u>	NO	___

REMARKS:

Waikiki Beach Activities, Ltd. is requesting a right-of-entry permit at the man-made island of the Duke Kahanamoku Lagoon as depicted on Exhibit A to place a directional sign in relation to the luau to be held on the abutting hotel property. The planned reception for the Princess House group will be held at the hotel, and the anticipated number of participants is about 500.

The sign, "Princess House", will be made of Styrofoam with a height of 60 inches and between 35 to 43 inches wide depending on the letter. The sign will be facing the hotel where the reception will be held and stand firmly on the island though the use of base plate. An artist rendering is attached as **Exhibit C**. Applicant will monitor the event and the

installation of the requested sign during the event.

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. Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation have no objection to the subject request and concur to the proposed environmental assessment exemption declaration.

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

RECOMMENDATION: That the Board:

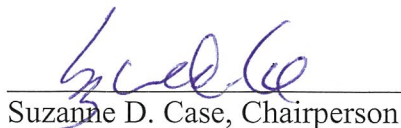
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Waikiki Beach Activities, Ltd. covering the subject area for placing sign 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,

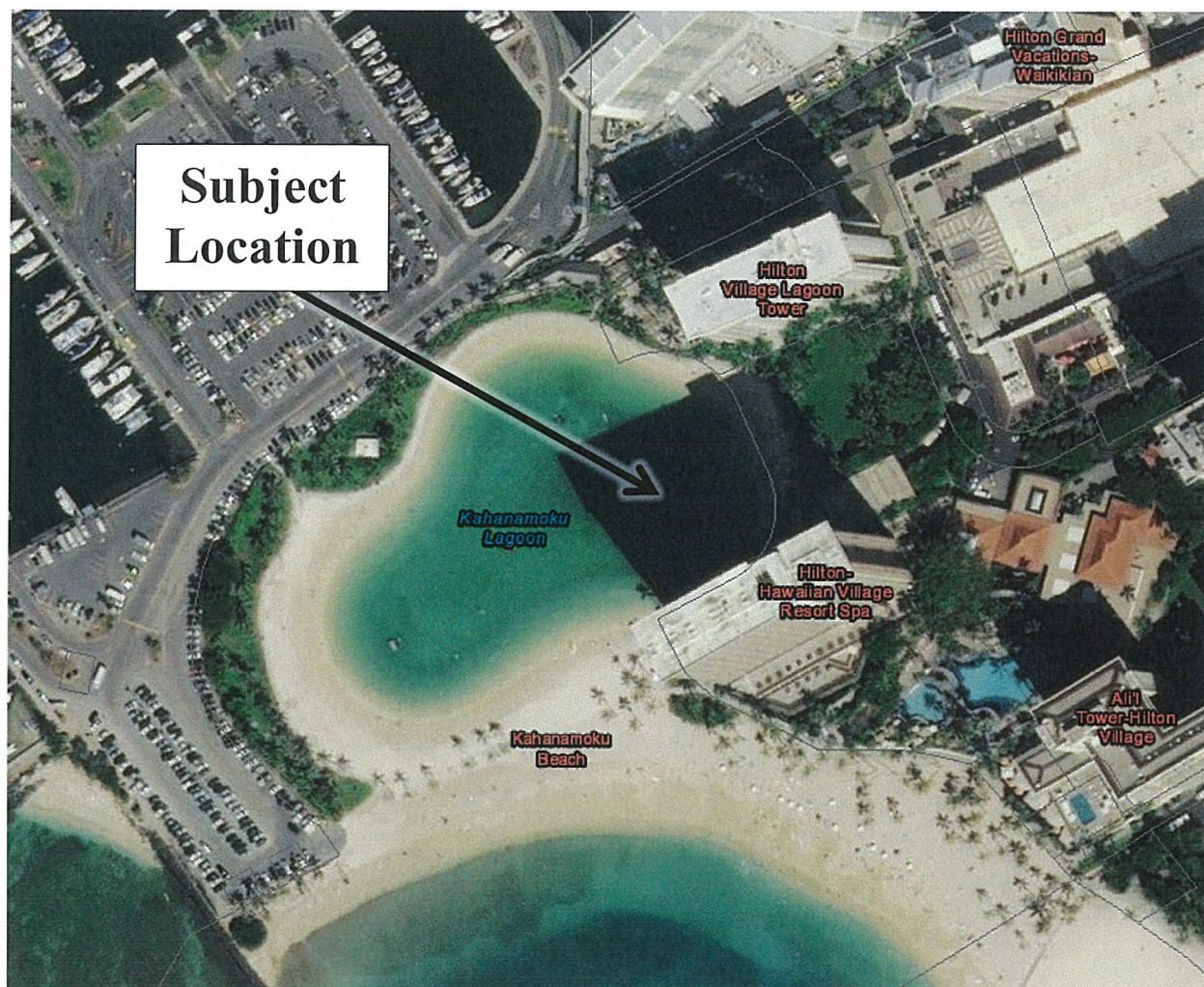


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



Suzanne D. Case, Chairperson



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

EXHIBIT A

EXEMPTION NOTIFICATION

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

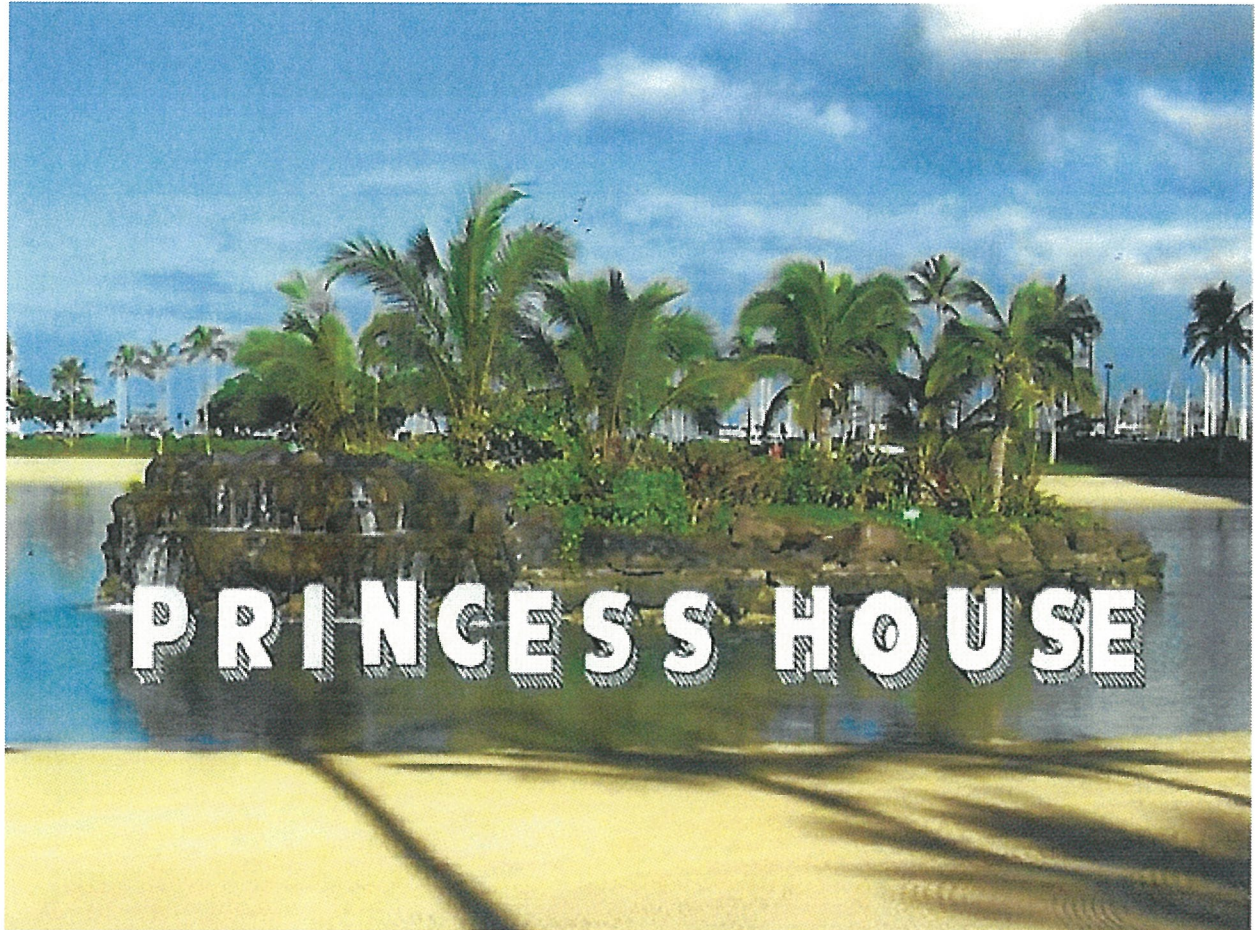
Project Title:	Placing a Sign on Duke Kahanamoku Lagoon from March 3 to 5, 2019
Project / Reference No.:	ROE 2018
Project Location:	Waikiki, Honolulu, Oahu, TMK (1) 2-3-037: portions of 021.
Project Description:	To install a sign made of Styrofoam in relation to the luau reception to be held on the adjacent hotel property.
Chap. 343 Trigger(s):	Use of State Land
Exemption Class No.:	<p>In accordance with the Exemption List for the Department of Land and Natural Resources, concurred and reviewed 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, that states "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."</p> <p>The Board has previously permitted beach activities events in the past. The request is indirectly involved in a beach activities event to be held on the adjacent private hotel property. Public access to the shoreline will not be affected by the installation of the subject sign. As such, staff believes that the request will involve negligible or no expansion or change in use beyond that previously existing.</p>
Cumulative Impact of Planned Successive Actions in Same Place Significant?	No successive actions will occur in the same location. As such, staff believes that there would be no significant cumulative impact.
Action May Have Significant Impact on Particularly Sensitive Environment?	Based on the analysis below, staff believes there would be no significant impact to sensitive environment.

EXHIBIT B

Consulted Parties: Office of Conservation and Coastal Lands and Division of Boating and Ocean Recreation.

Analysis: Staff believes that the request would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Recommendation: It is recommended that the Board find that this request will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.



Note: Applicant confirms the sign will be placed on the island, not in the water.

EXHIBIT C