

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

March 24, 2022

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

Ref: ROE 2022

OAHU

Issuance of Right-of-Entry Permit to Island Productions, LLC for Filming at the Lawn fronting Kahala Hotel; Waialae, Honolulu, Oahu, Tax Map Key: (1) 3-5-023: portions of 041.

APPLICANT:

Island Productions, LLC, a Hawaii limited liability company.

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands situated Waialae, Honolulu, Oahu, identified by Tax Map Key: (1) 3-5-023: portions of 041 as marked on the map labelled as **Exhibit A**.

AREA:

2,000 square feet, more or less.

ZONING:

State Land Use District: Urban  
City and County of Honolulu LUO: Resort (for abutting hotel property)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Revocable Permit No. S-7915, Resorttrust Hawaii, LLC, Permittee, for cabana, hale, beach towel caddy, hammock and beach chair with accompanying tables.

CHARACTER OF USE:

Filming purposes. See film permit application at **Exhibits B** for detailed description of activities planned for the subject request.

COMMENCEMENT DATE/TERM:

April 1, 2022, from 8:30 am to 10:00 pm.

RENTAL for ROE:

\$2,000, one-time payment.

Staff researched the rent that a typical film production is required to pay to the owner of a requested location. According to the Film Office, the industry rate is \$1,500 per prep or wrap day and \$4,000 per shoot day. Meanwhile, staff is waiting for a return call from the business office of Kualoa Ranch regarding the same issue. Other divisions of the department charge a flat rate of \$100 per day in addition to (a) \$0.25 per square foot of land being used per day by the Division Boating and Ocean Recreation, or (b) \$10 permit fee for forest reserves by the Division of Forestry and Wildlife.

The entire presence of the applicant (crew and equipment) on the subject land starts from 8:30 am to 10:00 pm on the same day. During this time, public access to the shoreline shall not be prohibited except during actual filming. The condition of not prohibiting public access reflects similar requirement for providing public corridor purposes over the entire revocable permit premises. Staff believes that the subject request with the restriction, if approved, will not achieve the same rental level normally charged by a private owner. Nevertheless, the rent for the subject request should be higher than the fee that would be charged by other divisions following the criteria mentioned above<sup>1</sup> because the requested location is improved lands.

Based on the foregoing, staff recommends the Board approve charging the subject request \$2,000 for the use of the State land.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules (HAR) §11-200.1-15 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the

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<sup>1</sup> Division of Boating and Ocean Recreation would charge  $\$100 + \$0.25 \times 2,000 \text{ sf} = \$600$  while Division of Forestry and Wildlife would charge \$110.

Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 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" under Part 1, item 44, 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". The request is a de minimis action that will probably have minimal or no significant effect on the environment and should be declared exempt from the preparation of an environmental assessment and the requirements of §11-200.1-17, HAR.

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:

The Hawaii Film Office received a film permit application (**Exhibit B**) from the applicant to film a scene for a movie. The application involves two (2) locations over the revocable permit area. The production will stage a simulated sunset wedding, reception, tables, chairs, and dance floor, and other wedding props on the lawn fronting the hotel. The requested area is within the premises of Revocable Permit No. S-7915 to Resorttrust Hawaii, LLC. The permittee has no objection to the subject request.

The applicant is reminded of the need to maintain public access through the requested area. Public access can only be temporarily restricted during the actual filming. Applicant will work with the hotel for access and mobilizing equipment during the effective period of the requested right-of-entry. Applicant will also provide 48 hours' notification to the adjacent condominium before the utilization of the requested right-of-entry. Applicant will post public notice boards about the filming at the location with 24-hour security. In addition, applicant will arrange for the presence of the department's enforcement personnel, at the applicant's expense, during the right-of-entry period to assist with the management of the location, if necessary.

Staff did not solicit comments from other governmental agencies on the subject request. Staff also recommends the Board authorize the Chairperson to extend the requested right-of-entry for good cause, e.g., weather.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions. There are no other pertinent issues or concerns. Staff recommends the Board authorize the issuance of the requested right-of-entry.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1-15, 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 as a de minimis action.
2. Authorize the issuance of a right-of-entry permit to Island Productions, LLC covering the subject area for filming 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. Public access to the beach can only be temporarily restricted during the actual filming;
  - C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State; and
  - D. Chairperson may extend the request right-of-entry for good cause.

Respectfully Submitted,

*Barry Cheung*

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Barry Cheung  
District Land Agent

APPROVED FOR SUBMITTAL:

*Suzanne D. Case*

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





**TMK (1) 3-5-023: portions of 041**

**EXHIBIT A**



State of Hawaii - Department of Business, Economic Development & Tourism  
Hawaii Film Office - 250 South Hotel Street, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii, 96804-2359  
Telephone: (808) 586-2570; Fax: (808) 586-2572

FROM: Hawaii Film Office TO:

**FILM PERMIT APPLICATION: General Information Section**

1. **APPLICANT** (Company Name): Island Productions, LLC
2. **PROJECT NAME:** HIDDEN GEM
3. **ADDRESS:** 99-1245 Halawa Valley St.  
Aiea Hi. 96701
4. **PHONE #:** [REDACTED] **FAX #:** [REDACTED]
5. **ON-SITE CONTACT** (Name & Phone #): Jim Triplett. [REDACTED]  
**E-MAIL ADDRESS:** [REDACTED]
6. **HAWAII ADDRESS** (If different from above): \_\_\_\_\_

**PHONE #:** \_\_\_\_\_ **FAX #:** \_\_\_\_\_ **Pgr. / Cel. #:** \_\_\_\_\_

**STATISTICAL INFORMATION**

**PROJECT TYPE:** ☐ TV Commercial ☒ Feature Film ☐ Print Ad. / Stock / Calendar / Mag.  
☐ Music Video ☒ TV Episode / Special / MOW ☐ Documentary / Educational / News  
☐ Travelog / Industrial / Video stock / Tour video ☐ Hawaii-based Network TV series  
☐ Sports / Exercise ☐ Miscellaneous ☐ Multi Media CD ROM

**FORMAT:** ☐ Still ☐ 16mm; 35mm; 70mm movie film ☐ Video

**Budget:** \$1.5 **Hawaii Expenditure:** \$900,000 **# Local Employees:** 50 **# HI Shoot Days:** 15

7. **FILM LOCATION REQUESTED, DATES AND TIMES** (To make processing easier and faster, please attach a map of the exact location requested, or street address, Tax Map Key number, or describe in as much detail as possible. If necessary, attach a separate sheet with additional location information.):

- a) Kahala Hotel koko head lawn Oahu 4 /1/22 8:30am-10:00pm  
State Land  
(Name of Location) (Island) (Dates and Time)
- b) Kahala Hotel Finger Pier Oahu 4/1/22 830a-10pm  
(Name of Location) (Island) (Dates and Time)
- c) \_\_\_\_\_  
(Name of Location) (Island) (Dates and Time)
- d) \_\_\_\_\_  
(Name of Location) (Island) (Dates and Time)
- e) \_\_\_\_\_  
(Name of Location) (Island) (Dates and Time)

Continued on "FILM PERMIT APPLICATION: Specific Information Section"

22-310

**EXHIBIT B**





**FILM PERMIT APPLICATION: Specific Information Section**

(Complete this section for EACH location requested.)

- Applicant: Island Productions LLC Project Name: Hidden Gems
- b) Kahala Hotel - Finger Pier ( State land) Oahu 4/1 8:30a-10p  
(Name of Location) (Island) (Dates and Time)
8. DESCRIBE ACTIVITY YOU WILL BE FILMING / TAPING AT THE LOCATION:  
Sunset Wedding. Prep 830a-5p, film 530p-630p, wrap at 730p.  
Simulated wedding. Chairs/ wedding arch/ plant and flower decorations  
Req to clear/cut back dead brush. Req to add fake silk flowers to the surrounding bushes.  
Rew to drop silk flower pedals along walkway, will pick up and clean area after filming.
9. TOTAL NUMBER OF PEOPLE (CAST AND CREW) ON LOCATION? 55
10. DESCRIBE ALL EQUIPMENT AND VEHICLES ON LOCATION (Indicate Parking Plans):
- a. Equipment: Still Camera/ Motion Camera,
- b. Vehicles: n/a vehicles on hotel property
- c. Parking Plans: n/a vehicles on hotel property
11. DESCRIBE ANY USE OF BOATS / THRILL CRAFTS / PLANES / HELICOPTERS /  
RECREATIONAL VEHICLES / PYROTECHNICS / SPECIAL EFFECTS / ANIMALS AND / OR ANY  
OTHER PROPS (Attach a separate sheet if necessary):  
Will cover utility box with a faux sand mat. Will remove after filming.

Jim Triplett

Mar 14, 2022

Applicant / Authorized Signature

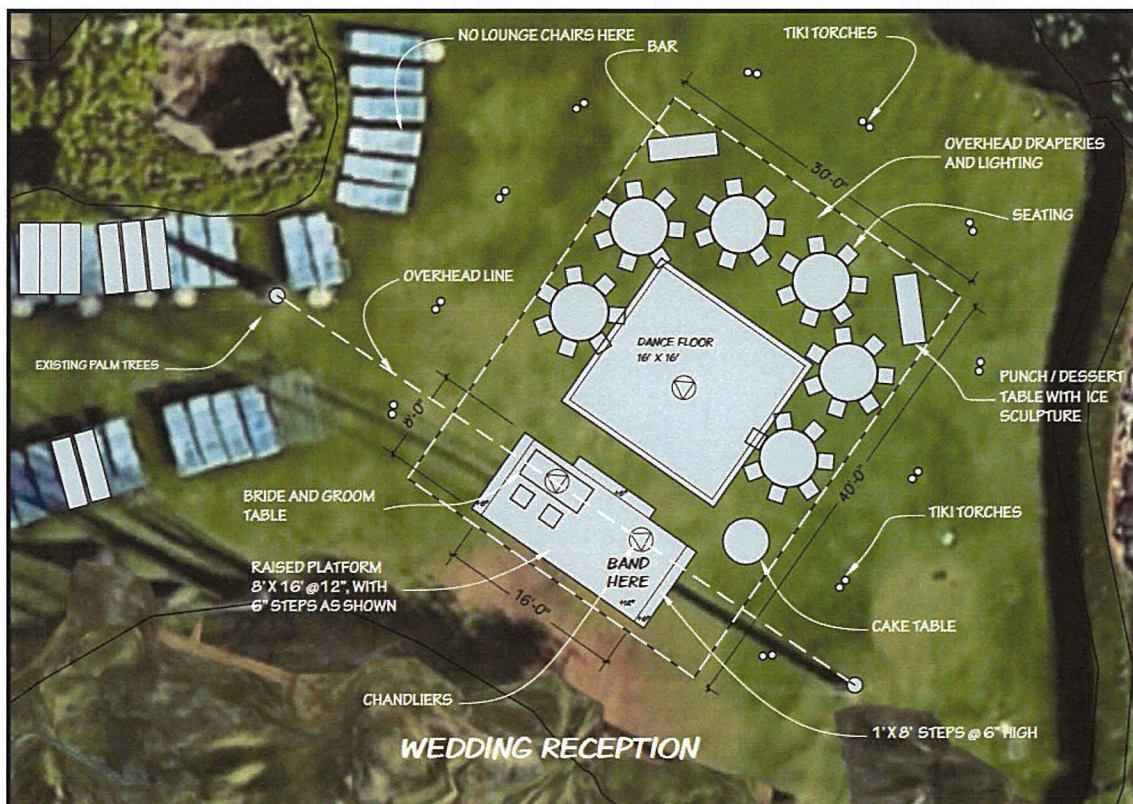
Date

Both production company and its Hawaii representative or agent are responsible for the  
locations and activities listed herein.

FOR USE BY HAWAII FILM OFFICE AND / OR GOVERNMENT AGENCIES			
SUBMITTED BY:	<u>Kelly Pila</u>	SENT TO:	<u>DLNR - LD 3/14/22</u>
	Hawaii Film Office Staff Signature	Agency	Date
APPROVED / DENIED BY:			
	Signature	Agency	Date
Approved Subject to:	<input checked="" type="checkbox"/> Special / Standard Conditions <input type="checkbox"/> General Conditions <input type="checkbox"/> Additional Conditions		
	<input type="checkbox"/> Obtaining approval from County Gov't. / Federal Gov't. / Private Land Owner		
INSURANCE:	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required <input checked="" type="checkbox"/> Attached <input type="checkbox"/> On File with the Film Office		
FAXED / SENT TO:	<input type="checkbox"/> Applicant <input type="checkbox"/> DAGS <input checked="" type="checkbox"/> DLNR (DOBOR / DOCARE / DOFAW / <u>LM</u> / NARS / Parks)		
	<input type="checkbox"/> DOT (Air. / Har. / Hwys.) <input type="checkbox"/> DBEDT (HCDA) <input type="checkbox"/> Judiciary <input type="checkbox"/> UH (IfA) <input type="checkbox"/> Other: _____		
COMMENTS / ADD'L CONDITIONS / NOTES:	_____		
	_____		
	_____		
Fees \$	Make payable to	STATE OF HAWAII	FIPAC # 22-310b

Revised on 3/17/00





HIDDEN GEMS  
99-1245 HALAWA VALLEY ST.  
AIEA, HI 96701  
(808) 536-7955

PRODUCTION DESIGN  
ARLAN JAY VETTER  
DECORATOR  
PAUL ROOME

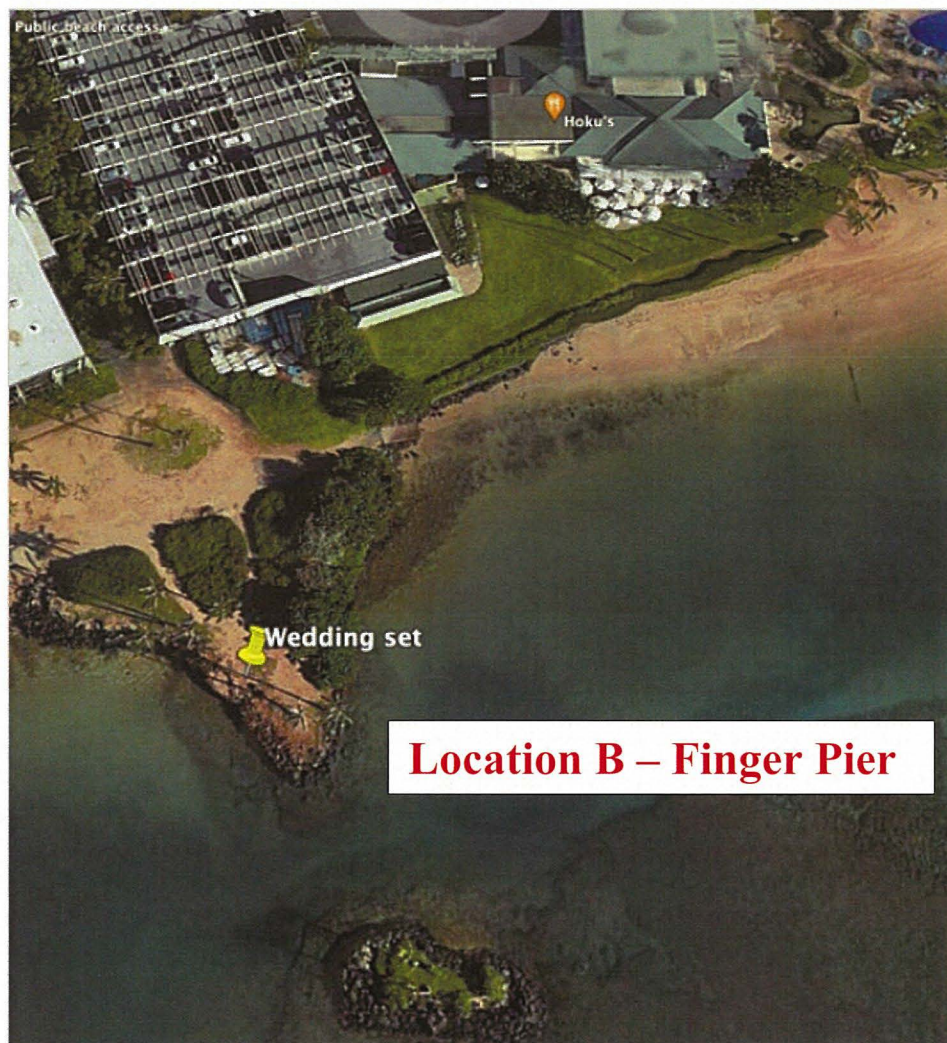
PROJECT  
WEDDING RECEPTION  
SCALE  
as noted

ISSUE  
3/10/22  
DRAWN BY  
AJV

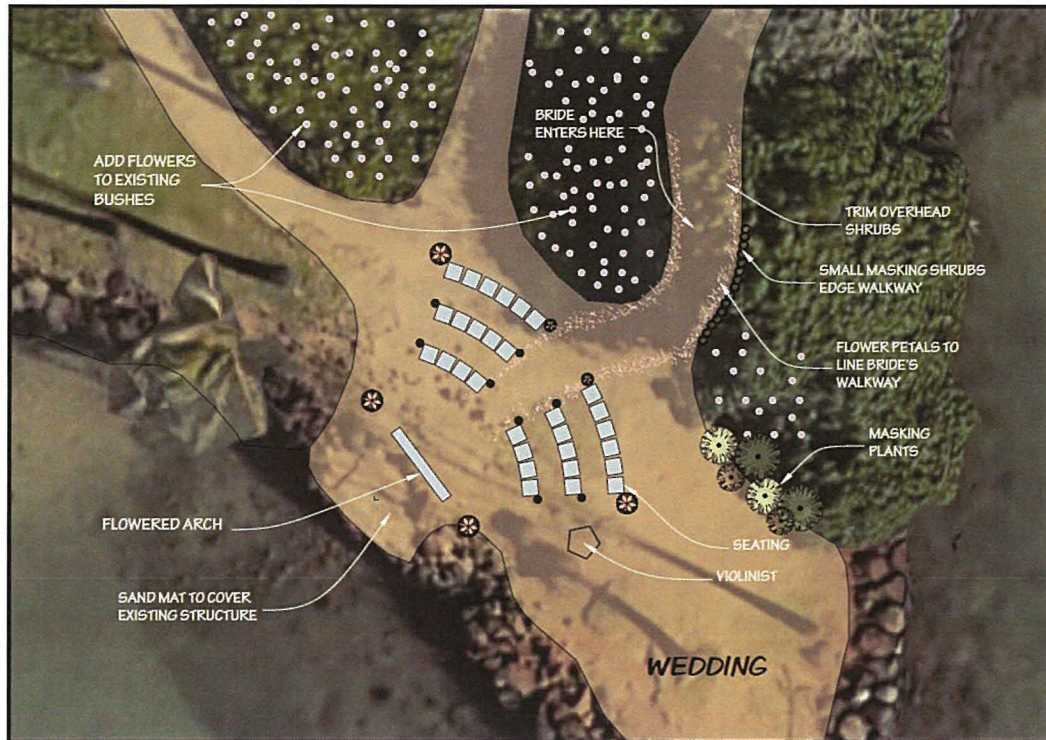
SHOOT DATE  
FRI. APRIL 1ST, 2022  
SHOOT LOCATION  
KAHALA RESORT

HIDDEN GEMS





**Location B – Finger Pier**



HIDDEN GEMS  
99-1245 HALAWA VALLEY ST.  
AIEA, HI 96701  
(808) 536-7955

PRODUCTION DESIGN  
ARLAN JAY VETTER  
DECORATOR  
PAUL ROOME

PROJECT  
DIVE BUNGALOW  
SCALE  
as noted

ISSUE  
3/8/22  
DRAWN BY  
AJV

SHOOT LOCATION  
KAHALA RESORT

HIDDEN GEMS