

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

May 23, 2025

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

Ref: ROE 2025

OAHU

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Inc. for Beach Event Purpose at Duke Kahanamoku Lagoon on June 14, 2025, Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: portion of 021.

APPLICANT:

Waikiki Beach Activities, Inc., a Hawaii for profit corporation.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes ("HRS"), as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key: (1) 2-3-037: portion of 021, as shown on as shown on **Exhibit A1** and **A2**.

AREA:

Not applicable. See Remarks section.

ZONING:

State Land Use District:
City and County of Honolulu LUO:

Conservation
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 unencumbered and open to public beach access.

CHARACTER OF USE:

Beach event purpose.

TERM OF RIGHT-OF-ENTRY:

Upon acceptance of the terms and conditions, the requested right-of-entry permit shall be effective between 6:00 pm to 8:00 pm on June 14, 2025, or the conclusion of event, whichever is the earlier.

CONSIDERATION:

Applicant plans to place 80-100 lanterns in the lagoon during the event. All lanterns will be picked and removed from the lagoon after the conclusion of the event. The group plan to use plastic lanterns, with a circular base of 17 cm and 7 cm in height or 6.6 inches and 2.8 inches respectively, for the event. Therefore, the area for each individual lantern is about 0.25 square feet. The total area for 100 units is about 24 square feet. While the final decision of the size of the lanterns has not been made at the time of writing the submittal, it is not expected that the changes in size, if any, will be substantial.

Staff recommends the Board charges a one-time payment of \$100 for the requested event.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rules ("HAR") §11-200.1-15 and -16 and the Exemption List for the Department of Land and Natural Resources reviewed and concurred on by the Environmental Council on November 10, 2020, the subject request is exempt from the preparation of an environmental assessment pursuant to General Exemption Type 1 for "[o]perations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing." Specifically, the subject request is exempt under Part 1, Item 44, which applies to "[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 subject request is a de minimis action that will probably have minimal or no significant effect on the environmental and should be declared exempt from the preparation of an environmental assessment and the requirements of § 11-200.1-17, HAR, as a de minimis action.

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:

Applicant is the concessionaire at the abutting hotel and they are working on hosting an event to be attended by a Japanese group planning to commemorate 80th anniversary of the end of World War II. The group plan to put 80-100 plastic lanterns, each with a circular base of 17 cm and 7 cm in height or 6.6 inches and 2.8 inches respectively, in the lagoon. So, the area for each individual lantern is about 0.94 square feet. The total area occupied by the lantern is about 100 square feet. While the final decision of the size of the lanterns has not been made at the time of writing the submittal, it is not expected that the changes in size, if any, will be substantial.

The Applicant will put the lanterns into the lagoon and let them drift toward the ocean side. It will be followed by a prayer. The guest is not planning to stay in the water. At the end, the Applicant will pick up and collect all lanterns in the lagoon. No other items are planned to be placed in the lagoon. Total duration of the event is planned to last about an hour.

Applicant indicates that there will be no restriction for any public access during the event, and anyone can join in the prayer at no charge. However, staff understands that the Applicant will be compensated by the group to organize this event on State land. Therefore, staff believes that the requested right-of entry should be subject to Board approval, as well as payment of rent.

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. There are no other pertinent issues or concerns. Staff recommends the issuance of the requested right-of-entry permit.

RECOMMENDATION: That the Chairperson:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200.1, 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 Waikiki Beach Activities, Inc. covering the subject area as described above and under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- A. The 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

Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:



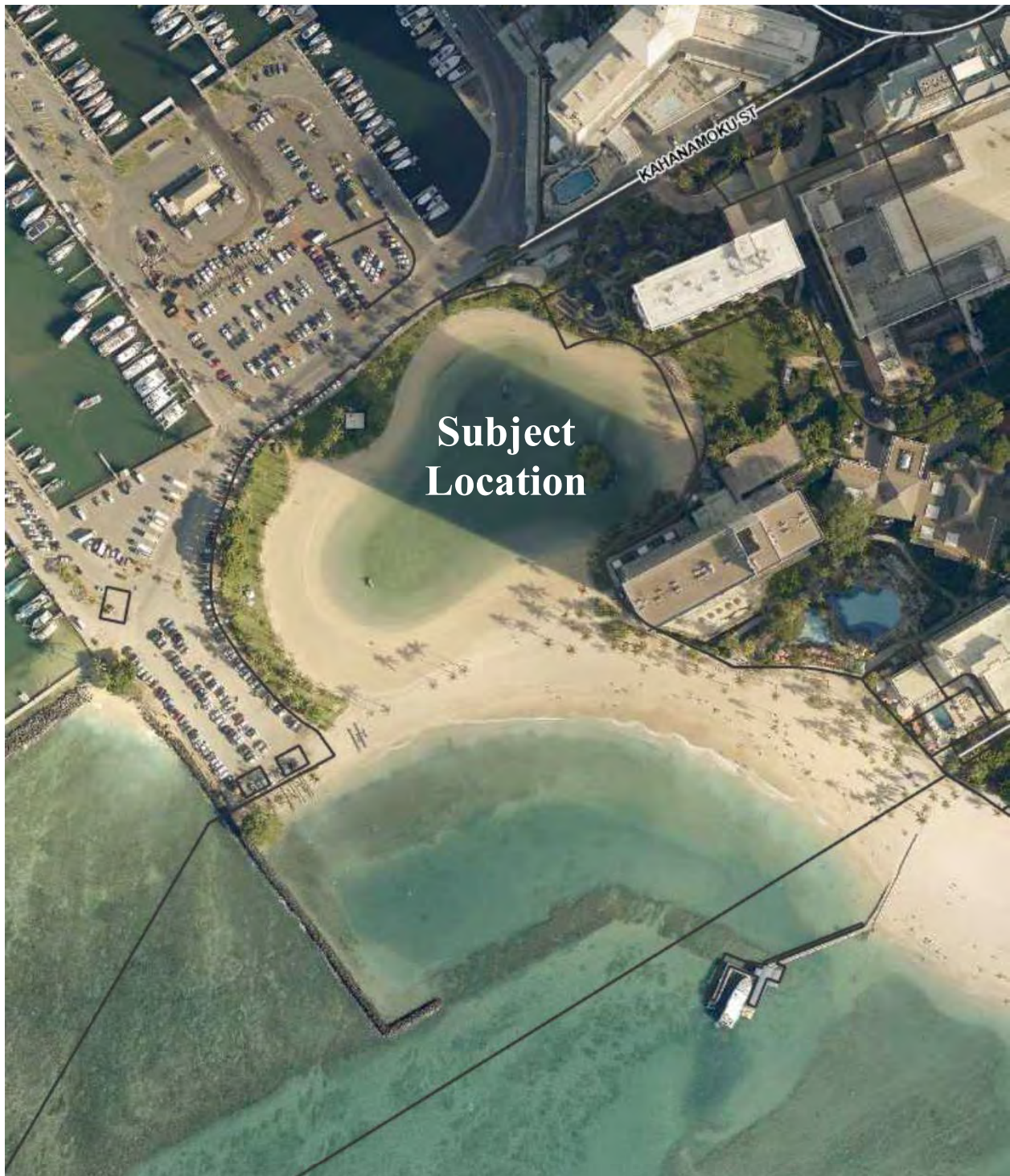
Dawn N. S. Chang, Chairperson





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

Exhibit A1



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

Exhibit A2