

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

August 10, 2012

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

PSF No.12OD-110

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Activities Purposes for Two Hours Each Day on Fifteen (15) Days in August and September 2012, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:021 (Portion).

APPLICANT:

Waikiki Beach Activities, Ltd., a domestic corporation

LEGAL REFERENCE:

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

LOCATION:

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

AREA:

1,000 square feet, more or less.

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:

August 13, 15, 17, 20, 22, 24, 27, 29, and 31, September 3, 5, 7, 10, 12, and 14, 2012,
between 9:30 a.m. to 11:30 a.m. on all dates.

RENTAL:

\$100 per day x 15 days = \$1,500

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4), 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation.", as included in **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 is requesting a right-of-entry permit for beach activities purposes in conjunction with the HIS Group, a prominent Japanese travel agency. The event comprises a welcome reception and a "Team Building" for the HIS Group. The requested dates are August 13, 15, 17, 20, 22, 24, 27, 29, and 31, September 3, 5, 7, 10, 12, and 14, 2012, between 9:30 a.m. to 11:30 a.m. on all dates at the location of the Duke Kahanamoku Beach as shown on Exhibit A.

The requested duration does not exceed two hours per day and the requested area is vacant and unencumbered. It is anticipated that between 30 and 50 people will attend each event. In addition, the applicant is required to ensure public access to the shoreline is not affected by 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. No comments were solicited from government or community agencies. Staff does not have any objection to the request.

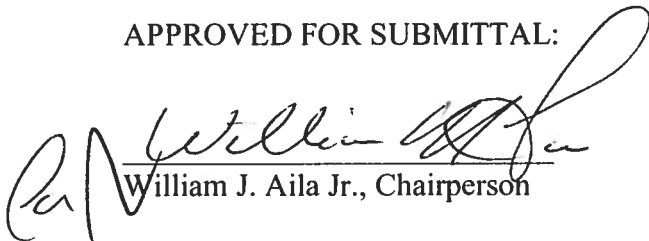
RECOMMENDATION: That the Board:

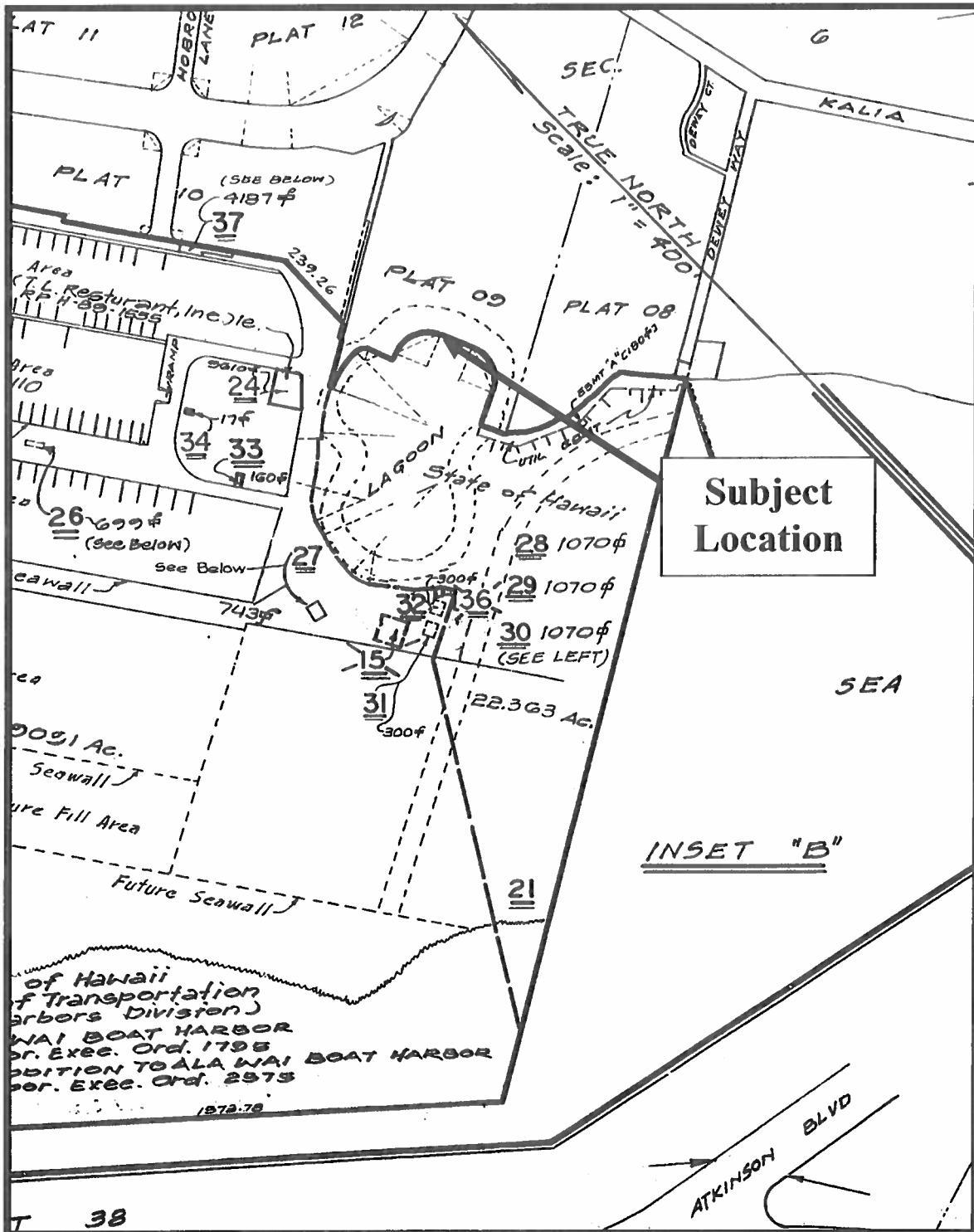
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
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;
 - 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:


William J. Aila Jr., Chairperson



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

EXHIBIT A1

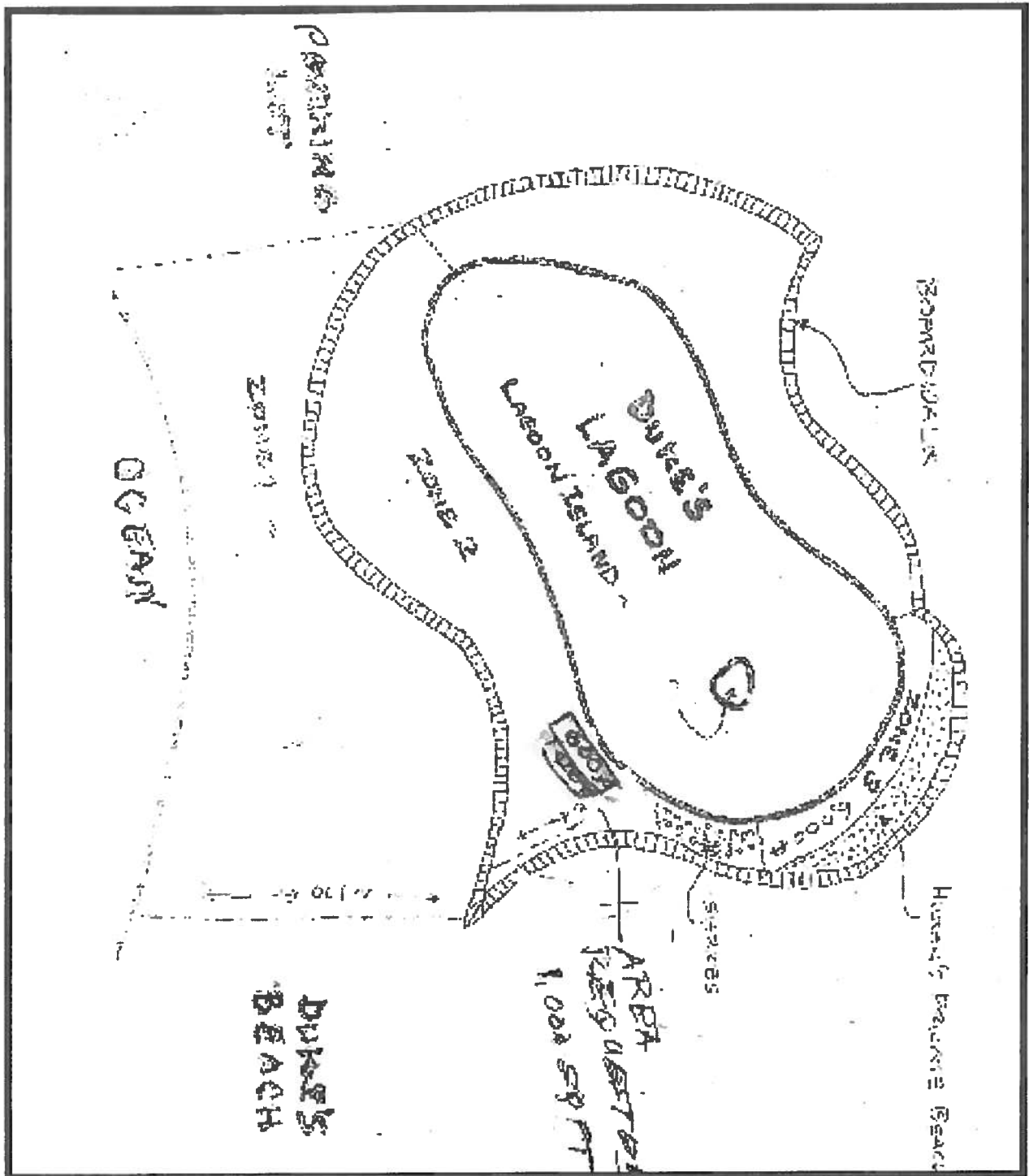


EXHIBIT A2

EXEMPTION NOTIFICATION

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

Project Title: Beach Activities Purposes on Duke Kahanamoku Beach
Project / Reference No.: PSF 12OD-110
Project Location: Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portion of 021.
Project Description: Beach activities purposes
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4), 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" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This Division 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 of the subject area beyond that previously existing.

Consulted Parties: Office of Conservation and Coastal Land

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.

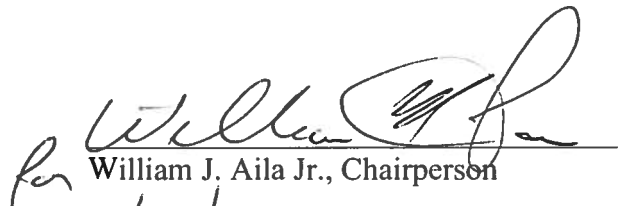

for William J. Aila Jr., Chairperson
7/23/12
Date

EXHIBIT B