

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

May 24, 2019

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

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. over Portions of Duke Kahanamoku Beach for Stage and Gathering Area Purposes from June 27 to 29, 2019 in relation to the United States Conference of Mayors 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 ("HRS"), as amended.

LOCATION & AREA:

3,000 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:

Setting up a stage and gathering area.

TERM:

From 8:00 a.m. on June 27, 2019 (Thursday) to 6:00 p.m. on June 29, 2019 (Saturday).

RENTAL:

Waived. See Remarks below.

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	<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 over a portion of the Duke Kahanamoku Beach located at the mauka end of the lagoon. The requested area will be used in relation to the opening ceremony of the United States Conference of Mayors ("USCM") to be held on the abutting hotel property. Setup of the stage [about 600 square feet] and equipment will be conducted on June 27, 2019, and the breakdown is planned for June 29, 2019. It is anticipated that about 1,000 people will attend the event, and the rest of the requested area is to be set up as a gathering area for the attendees.

USCM is a non-partisan organization whose membership is open to the mayors of the

United States. The mayors of Kauai, Maui, and the City and County of Honolulu are members. Because the request pertains to a government-related event, applicant is asking for a waiver of fee, which is \$900.¹ Staff does not have any objection to the requested waiver.

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 has no objection to the subject request and concurs with the proposed environmental assessment exemption declaration.

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

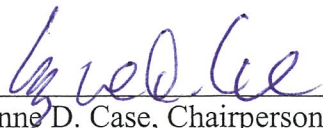
RECOMMENDATION: That the Board:

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 setting up a stage and gathering area 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

¹ 3,000 square feet based on 10 cents per square foot per day.



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:	Issuance of Right-of-Entry permit for setting up a stage and gathering area on Duke Kahanamoku Lagoon from June 27 to 29, 2019
Project / Reference No.:	ROE 2019
Project Location:	Waikiki, Honolulu, Oahu, TMK (1) 2-3-037: portions of 021.
Project Description:	For setting up a stage and gathering area for the United States Conference of Mayors opening ceremony. The conference will be held in the abutting private 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 similar activities events in the past. The request is indirectly involved in activities to be held in the adjacent private hotel property. Public access to the shoreline will not be affected by the subject request. 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	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.

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.