

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Boating and Ocean Recreation  
Honolulu, Hawaii 96813

July 8, 2011

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

DELEGATION OF AUTHORITY TO THE DIVISION OF BOATING AND OCEAN  
RECREATION (DOBOR) TO ISSUE MISCELLANEOUS USE PERMITS, MARINE EVENT  
PERMITS, AND FILM PERMITS FOR THE TEMPORARY USE OF WAIKIKI AND  
KAANAPALI BEACH AND NEAR SHORE WATERS

**REMARKS:**

As the landowner, the Department of Land and Natural Resources, DOBOR, receives numerous requests for the temporary use of Waikiki and Kaanapali Beach and near shore waters for a variety of purposes including staging areas for various beach activities such as canoe events, stand up paddling events, surf contests, sand soccer tournaments, taping of movie and television shows, and various land and sea fireworks displays.

Hawaii Administrative Rule (HAR), Section 13-251-76 states: (a) No person shall engage in commercial activities of any kind in or on Waikiki or Kaanapali ocean waters and beach without a written permit from the board or its authorized representatives.

Since the adoption of this HAR amendment on June 16, 2003, DOBOR has been issuing temporary use permits for the Waikiki and Kaanapali Beach and near shore waters because the activity occurred on a random basis and was limited in duration, usually lasting no longer than one day. Recently, there has been some discussion on whether any activity occurring on Waikiki and Kaanapali Beach or near shore waters requires a written permit issued by the Board of Land and Natural Resources (Board).

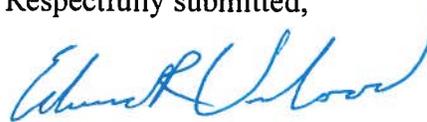
DOBOR receives several requests each month for the use of Waikiki and Kaanapali Beach and near shore waters. There are instances when these requests are made on short notice and there would not be enough time to prepare a Board submittal. The activities that would be permitted do not place an undue hardship on the general public and all requests for permanent commercial use permits will be brought before the Board for final approval.

In order to ensure that DOBOR is in compliance with the law, we are requesting that the Board authorize DOBOR to issue miscellaneous use permits, marine event permits, and film permits for activities that occur on a limited basis and duration on Waikiki and Kaanapali Beach and near shore waters.

**RECOMMENDATIONS:**

That the Board delegate authority to DOBOR to issue miscellaneous use permits, marine event permits, and film permits for activities that occur on a limited basis and duration on Waikiki and Kaanapali Beach and near shore waters.

Respectfully submitted,



Edward R. Underwood  
Administrator

APPROVED FOR SUBMITTAL



William J. Aila, Jr.  
Chairperson and Member