

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

January 11, 2013

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

PSF No. 12OD-164  
  
Oahu

Issuance of a Right-of-Entry Permit to MC&A Inc. for Beach Activities Purposes to be held on January 28, 2013; Waikiki, Honolulu, Oahu; Tax Map Key: (1) 2-3-037: portions of 021.

APPLICANT:

MC&A Inc., a domestic profit corporation

LEGAL REFERENCE:

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

LOCATION:

Portion of Government lands of Waikiki, Honolulu, Oahu, identified as Tax Map Key: (1) 2-3-037: portions of 021, as shown on the attached Exhibit 1.

AREA:

7,000 square feet of beach area, more or less  
7,000 square feet of lagoon area, 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:

Beach Activities Purposes

CHARACTER OF USE:

Beach Activities Purposes

TERM:

From 9 a.m. to 6 p.m. on January 28, 2013

RENTAL:

\$1,400.00 (One-time payment based on 10¢ per square foot per day.)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 2.

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:

MC&A Inc. (MCA) is requesting to use a portion of the Duke Kahanamoku Beach and the adjacent lagoon to conduct a team building event. The selected areas are located to the west of the Hilton Hawaiian Village Hotel in Waikiki, nearby to the parking lot of the Ala Wai Small Boat Harbor. For purposes of reviewing the permit areas requested, see

Exhibit 1.

The Build Your Own Boat Sailing Regatta event is scheduled to be held on Monday, January 28, 2013. The participants in this event will attempt to build boats on the beach by using large pieces of cardboard covered with plastic sheeting that will be fastened together with duct tape. Once this process is completed, the boat race portion of this event will then begin within the lagoon. MCA proposes to provide lifeguards in the lagoon area for safety purposes.

Set-up for the day's event is scheduled to begin at 9 a.m. and last until 2 p.m. The event is scheduled from 2 p.m. until 4 p.m. The strike time is scheduled to begin at 4 p.m. and is estimated to conclude at 6 p.m.

For purposes of conducting this event, MCA requests that the Board approve of a right-of-entry permit to use portions of the Duke Kahanamoku Beach and the lagoon.

Hilton Hawaiian Village has concurred with MC&A's request.

No requests were routed to government and/or community agencies for comments because there have been no outstanding issues associated with this subject request.

Staff has no objections to the subject request.

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.

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 MC&A Inc. for beach activities purposes of covering the subject area 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; and
  - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



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Timmy Chee  
Land Agent

APPROVED FOR SUBMITTAL:



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William J. Aila Jr., Chairperson





## **EXEMPTION NOTIFICATION**

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

Project Title: Issuance of a Right-of-Entry Permit to MC&A Inc. for Beach Activities Purposes

Project / Reference No.: PSF 12OD-164

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037: portions of 021.

Project Description: Building Cardboard Boats and to Conduct a Lagoon Race Event

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, 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 Not applicable

**EXHIBIT 2**

Recommendation:

That the Board finds 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.

  
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William J. Aila Jr., Chairperson

*N* 12/22/12  
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Date