

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

March 24, 2022

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

Land Board Members:

SUBJECT: Issuance of a Revocable Permit to Blue Water Shrimp International, LLC, for Food Service and Performance and Playing of Conversation-Friendly Music (low volume), Located at the Ala Wai Small Boat Harbor, Honolulu, Oahu, Tax Map Key: (1) 2-6-010:003 (Por.) and :016 (Por.)

And

Declare the Project Exempt from Requirements of Chapter 343, Hawaii Revised Statutes and Title 11, Chapter 200.1, Hawaii Administrative Rules

APPLICANT:

Blue Water Shrimp International, LLC

LEGAL REFERENCE:

HRS §171-6, -13 and -55, Hawaii Revised Statutes, as amended

LOCATION:

Portion of Government lands situated at Ala Wai Small Boat Harbor, Oahu, identified by Tax Map Key: (1) 2-6-010:003 (Por.) and :016 (Por.) hereinafter referred to as the "Premises" as shown on the map labeled **Exhibits A-1 thru A-3** and attached hereto. Said Premises are on a portion of Governor's Executive Order 4604.

AREA:

9,000 square feet, more or less.

ZONING:

State Land Use District: Urban  
County of Honolulu CZO: Public Precinct (Waikiki Special District)

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:

Vacant and unencumbered.

CHARACTER OF USE:

Occupy and use the Premises for the following specified purposes only: Food Service and performance and playing of conversation-friendly music (low volume).

Maintenance of the public restroom and pedestrian access from Ala Moana Blvd. The applicant would be responsible for security and maintenance of both areas.

COMMENCEMENT DATE:

The first of the month to be determined by the Chair.

MONTHLY RENTAL:

Eleven Thousand Seven Hundred and no/100 dollars (\$11,700.00) per month or ten percent (10%) of gross receipts, whichever is greater. The base rent was determined using an in-house valuation, which was based on the 2016 appraisal report of DOBOR's revocable permits prepared by appraiser Brian Goto of CBRE – Valuation & Advisory Services. Staff used the appraisal report's concluded annual rental of \$9,300.00, or \$13.30/Sq. Ft., for Honolulu Transpac, Ltd. (in Ala Wai Small Boat Harbor) as a starting point for its in-house valuation. The 2016 appraisal report indicated a 3% annual increase for subsequent years. Staff adjusted the 2016 annual base rent per square foot, by applying a 3% increase per year, to arrive at a rental of \$15.60/Sq. Ft./Yr., or \$1.30/Sq. Ft./Mo., which results in a monthly rental of \$11,700.

Ala Wai Small Boat Harbor currently has 1 mobile food concessionaire (food truck) and 1 mobile food permittee (food cart). Both pay the greater of a base rent or 10% of gross receipts. Both are located in the free parking area Makai of the Hilton Lagoon.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly base rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Section 11-200.1-15, Hawaii Administrative Rules (HAR) and the Exemption List for the, Department of Land and Natural Resources, reviewed and concurred in by the Environmental Council on November 10, 2020, 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 minor expansion or minor change of use beyond that previously existing." Part 1, Item No. 46, "Granting to a person the privilege to conduct operations involving the provision of goods, wares, merchandise, or services to the general public including, but not limited to, tours, food and beverage operations, retail operations, rental operations, or communications and telecommunications services in or on an existing building, facility, or area."

The following agencies were consulted on this proposed action with the results indicated as follows:

<b>Consulted Agency</b>	<b>Comments</b>
Division of Aquatic Research (DAR)	<b>Exhibit C</b>
Office of Hawaiian Affairs (OHA)	Did not respond
Land Division Oahu District (LD)	No Objections
Ocean Conservation of Coastal Lands (OCCL)	No Objections
Dept. of Health Food Safety Branch (DOH)	<b>Exhibit D</b>
Dept. of Transportation	<b>Exhibit E</b>
C&C Dept. of Planning & Permitting	<b>Exhibit F</b>

DCCA VERIFICATION:

Place of business registration confirmed: YES X NO  
Registered business name confirmed: YES X NO  
Applicant in good standing confirmed: YES X NO

JUSTIFICATION FOR REVOCABLE PERMIT:

Staff intends to re-issue a Request for Proposals (RFP) for the redevelopment of Ala Wai Small Boat Harbor in near future. Until such a time, staff believes that a revocable permit is an appropriate disposition.

REMARKS:

The former haul out (“Haul Out”) contains approximately 38,369 sq. ft. The proposed use would occupy approximately 9,000 sq. ft. of the haul out’s total area. The haul out is currently vacant, undeveloped, lacks ground cover and landscaping.

The proposed area was previously occupied by Ala Wai Boat Works, Ltd., which changed its name to Ala Wai Marine, Ltd., and subsequently used for parking and storage until it was vacated in February 2009. In addition to haul out and repairs, Ala Wai Marine, Ltd. also offered food to the boating community and the public.

The restroom facilities Makai of the project area are currently being maintained and stocked by the Hawaii Prince Hotel Waikiki as required by their lease.

The applicant is proposing food service from 2 large food trucks, umbrella covered seating, landscaping and conversation-friendly (low volume) music. In addition, they will provide security and maintenance of the restrooms and pedestrian access from Ala Moana Blvd.

The applicant originally proposed subcontracted food trucks, Hawaiian and Polynesian entertainment and a large tent where merchandise would be sold. Following the receipt of agency comments, the applicant scaled down its proposal to just food service from two (2) food trucks, umbrella covered seating with conversation-friendly (low volume) music. The project area would be enhanced with potted landscaping. See **Exhibit B** for artist’s renditions. Hawaiian music would be either prerecorded or performed on an approximately 10’x10’ stage by no more than three (3) performers. The applicant is aware of noise sensitivity and the applicant would manage music volume and performing hours as required. Customers would have the option of take out or open seating at umbrella covered tables. None of the proposed improvements will be permanently affixed to the premises, and will be removed upon termination of the revocable permit.

Proposed hours of operation would be from 6:00 AM to 9:00 PM. Security will be provided 24 hours a day 7 days a week. Music would be recorded or live from 9:00 AM to 9:00 PM, but mostly music in the late afternoon to early evening. The applicant is willing to make adjustments (operating hours, music, layout etc.) as needed. Food will be prepared in off-site kitchens and served on site from trucks approved by the health department. The applicant shall not be allowed to sublet the space to other vendors.

Due to the harbor staff’s need to access and use portions of the haul out, staff recommends that the location of the proposed use be repositioned to allow for staff’s continued access and use. Staff’s recommended location is shown in **Exhibit A-3**.

The applicant is offering to have their security contractor monitor activities under the Ala Wai Blvd. bridge. Therefore, a request for comment was sent to DOT because they have jurisdiction under the bridge. There may have been a miscommunication

regarding the request for comment. The Department of Transportation (DOT) comments recommend a Traffic Impact Assessment Report (TIAR). See **Exhibit E**. Staff does not believe that a traffic study is warranted, as the applicant's business model is not based upon vehicular traffic. The applicant has requested that the gate allowing pedestrian access to the site from Ala Moana Blvd. remain open during operating hours. Staff will revisit the need for a TIAR if the applicant's use of the premises dramatically increases vehicular traffic from Ala Moana Boulevard. The proposed use is consistent with the food service operation previously provided by Ala Wai Marine, Ltd.

The Division of Aquatic resources suggestions (in **Exhibit C**) include the need for spill response equipment and protocols, fine particulate containment, safe management of cooking food service by-products, closed top or trap door trash receptacles, daily removal of trash and regular inspections.

The Department of Planning and Permitting provided comments that the permittee apply for County permits, including a Zoning Variance, the appropriate SMA permit, Major Special District Permit and comply with all the recommendations and requirements stated in **Exhibit F**.

As the gateway to Waikiki, staff believes that the security, landscaping, outdoor dining area, restroom maintenance and soft Hawaiian music would be an improvement to the vacant dirt lot and other safety challenges in the area until a new RFP can be published. Pending a new RFP, the applicant's proposal would be a welcome improvement to the existing appearance and safety of this area.

Staff recommends that the operating hours, configuration of food trucks, seating, coverings, music, stage, lighting, landscaping and other enhancements be subject to Chair's approval, which may be revised from time-to-time at Chair's discretion.

#### RECOMMENDATION:

That the Board of Land and Natural Resources:

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.
2. Authorize the issuing of a new revocable permit to Blue Water Shrimp International, LLC, at Ala Wai Small Boat Harbor, in the location shown in **Exhibits A-1 thru A-3**, for two (2) mobile food service trucks, umbrella covered seating, landscaping, security, maintenance of the restrooms and pedestrian access purposes and under the terms and conditions cited above, which are by this reference, incorporated herein and further subject to the following:

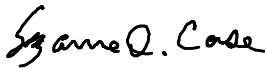
- a. The applicant acquiring all of the necessary County permits including a Zoning Variance, the appropriate SMA permit, a Major Special District Permit and comply with all applicable conditions in **Exhibits C, D and F**.
- b. The standard terms and conditions of the most current Revocable Permit form, as may be amended from time-to-time; and
- c. Review and approval by the Department of the Attorney General.
- d. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



EDWARD R. UNDERWOOD, Administrator  
Division of Boating and Ocean Recreation

APPROVED FOR SUBMITTAL:



SUZANNE D. CASE, Chairperson  
Board of Land and Natural Resources

Attachments:

- A-1 AWSBH on Island of Oahu Map
- A-2 Aerial Map of Location at AWSBH
- A-3 Area on the Parcel (Staff's Recommended Location)
- B Application and Artist's Rendition of the Proposed Project
- C Division of Aquatic Research (DAR) Comments
- D Dept. of Health Food Safety Branch (DOH) Comments
- E Dept. of Transportation Comments
- F C&C Dept. of Planning & Permitting Comments

**Exhibit A-1**

Bluewater Shrimp International LLC at Ala Wai Small Boat Harbor

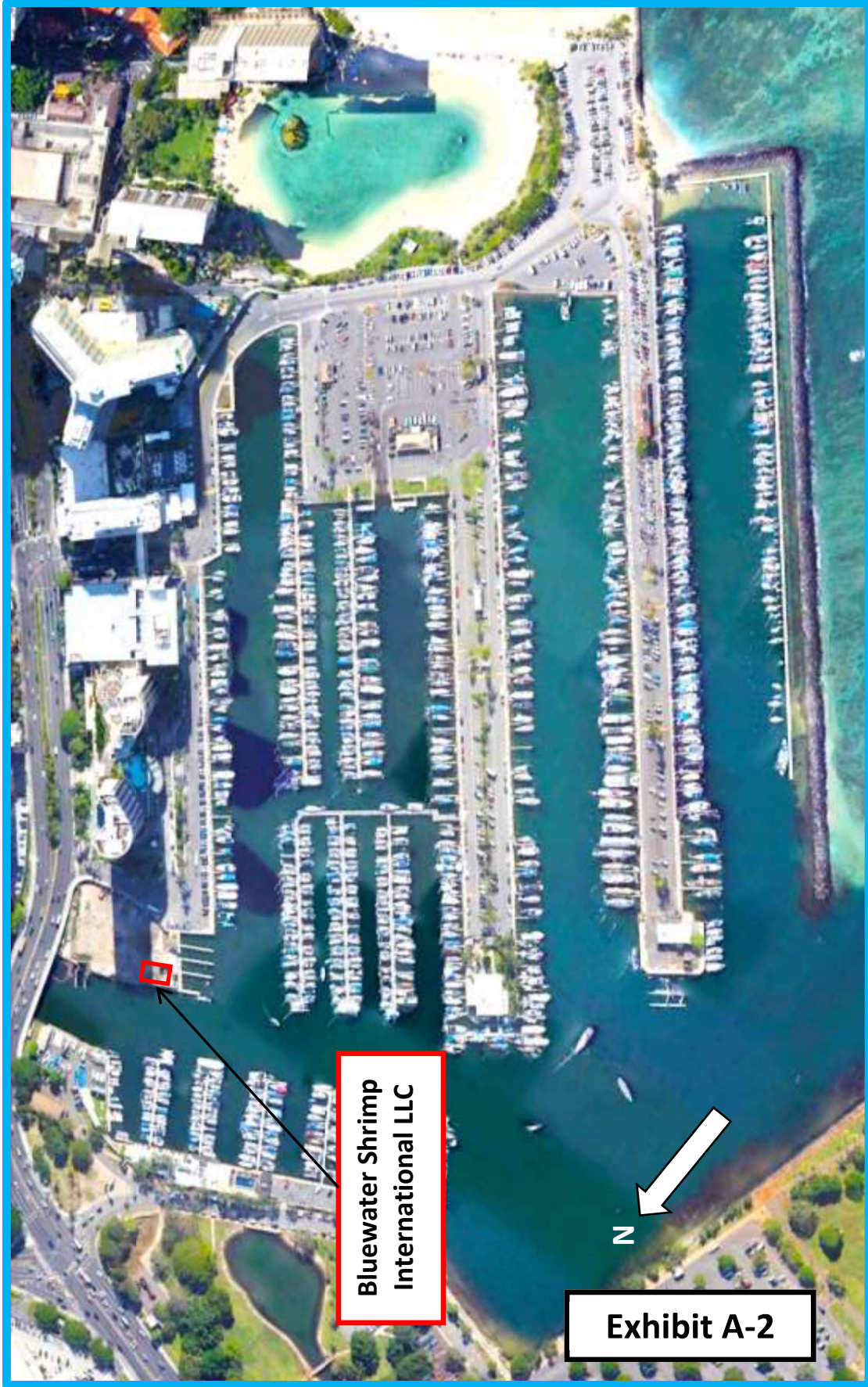


**Exhibit A-1**

Exhibit A-2

Ala Wai Small Boat Harbor

Bluewater Shrimp International LLC at Ala Wai Small Boat Harbor

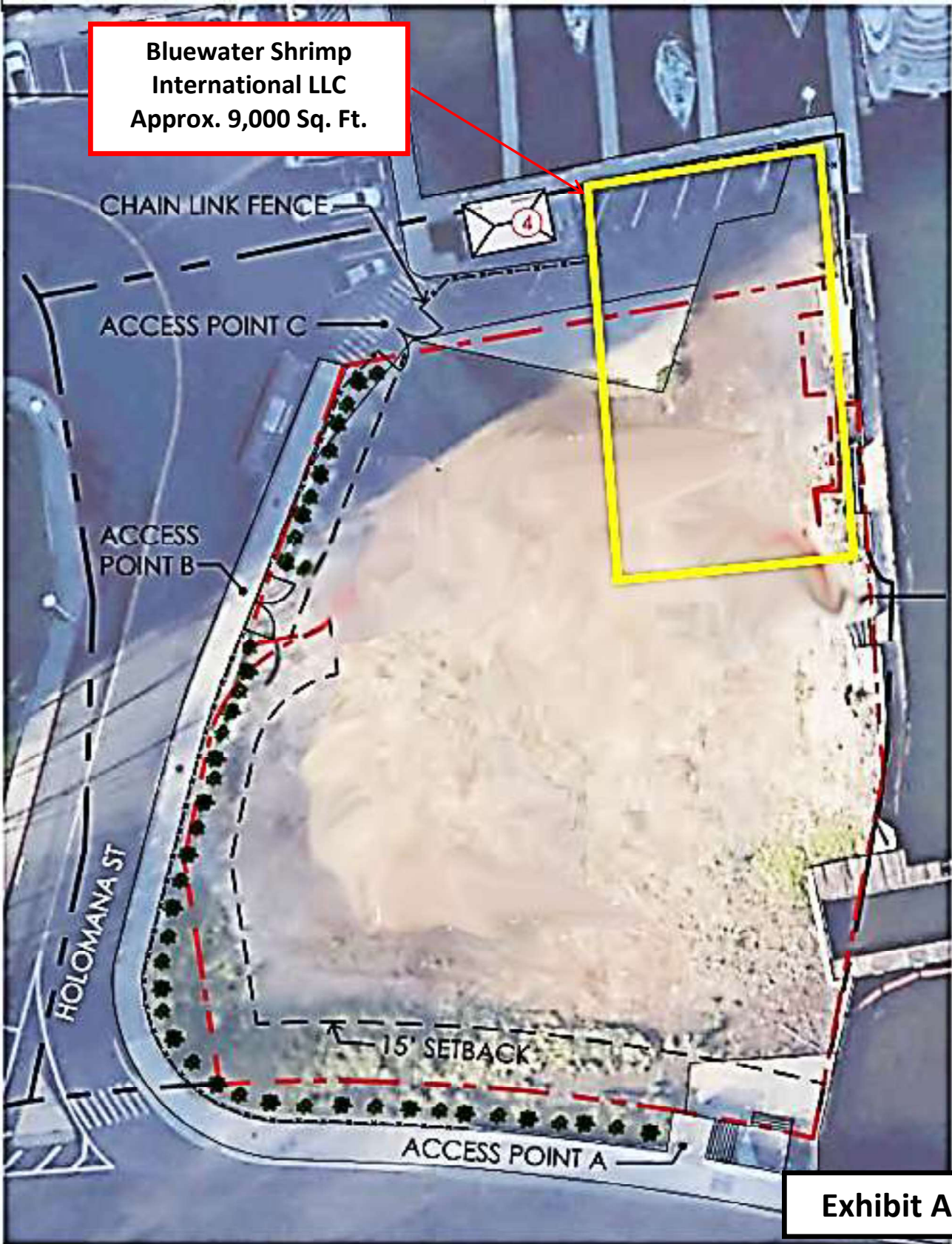


Bluewater Shrimp  
International LLC

Exhibit A-2

**Exhibit A-3**

**Bluewater Shrimp International LLC at Ala Wai Small Boat Harbor**



## EXHIBIT B

Peter Apo Company,  
98-021 Kamehameha Hwy, Rm 212  
Aiea, HI 96701  
(808) 256-6191  
[peterapocompany@gmail.com](mailto:peterapocompany@gmail.com),

September 27, 2021

Chairperson and Members  
Board of Land and Natural Resources  
State of Hawai'i  
Honolulu, Hawai'i

Land Board Members:

SUBJECT: Request for consideration of New Revocable Permit to Blue Water Shrimp, International, LLC for Entertainment and Food Concession, Located at Ala Wai Small Boat Harbor, Honolulu, Oahu, Tax Map Key: (1) 2-6-010:005 (Por.)

And

Declare the Project Exempt from Requirements of Chapter 343, HRS and Title 11, Chapter 200.1, Hawaii Administrative Rules

### APPLICANT SUMMARY STATEMENT

The intention of Blue Water Shrimp International for use of Ala Wai Small Boat Harbor, TMK (1) 2-6-010:005 (Portion) is as follows:

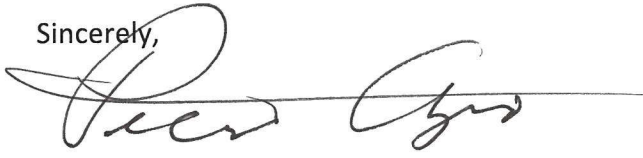
The primary service intended is food service from two food trucks. The food service experience will be enhanced with conversation friendly Hawaiian music performed on a small stage (10' x 10') by duos and trios. Customers have the option of take out or open seating at umbrella covered tables. Applicant is aware of noise sensitivity of surrounding community of high rise residents, boaters, and the Hawai'i Prince Hotel so music volume and performance hours will be managed accordingly.

Applicant is also committed to maintenance and stocking of the restroom facility, securing and cleaning the stairway access for pedestrian traffic to and from Ala Moana Blvd, and responsibility for trash disposal and otherwise general property maintenance. Applicant also intends to incorporate potted plants throughout the site to enhance the Hawaiian sense of place.

**EXHIBIT B**

Applicant is open to working with department as the evolving experience may dictate adjustments to the services rendered and the role and responsibility of the applicant.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Apo", written over a horizontal line.

Peter Apo  
Representing Blue Water Shrimp & Seafood



**KEYNOTES:**

- 1. BLUE WATER SHRIMP FOOD TRUCKS
- 2. QUAD UMBRELLAS
- 3. MOBILE 10'X15' STAGE
- 4. EXISTING PUBLIC RESTROOM
- 5. TEMPORARY DECKING
- 6. POTTED VEGETATION



# Blue Water Shrimp & Seafood Conceptual Design Layout

Prepared by:  
**ERSKINE  
ARCHITECTS, INC.**



SCALE: NOT TO SCALE 9/22/2021



ALA WAI BOAT HARBOR

PROPERTY LINE

ALA WAI CANAL

NEIGHBORING  
PROPERTY LINE

CHAIN LINK FENCE

ACCESS POINT C

ACCESS  
POINT B

HOLOMANA ST

ACCESS POINT A

TMK: (1) 2-6-010:016

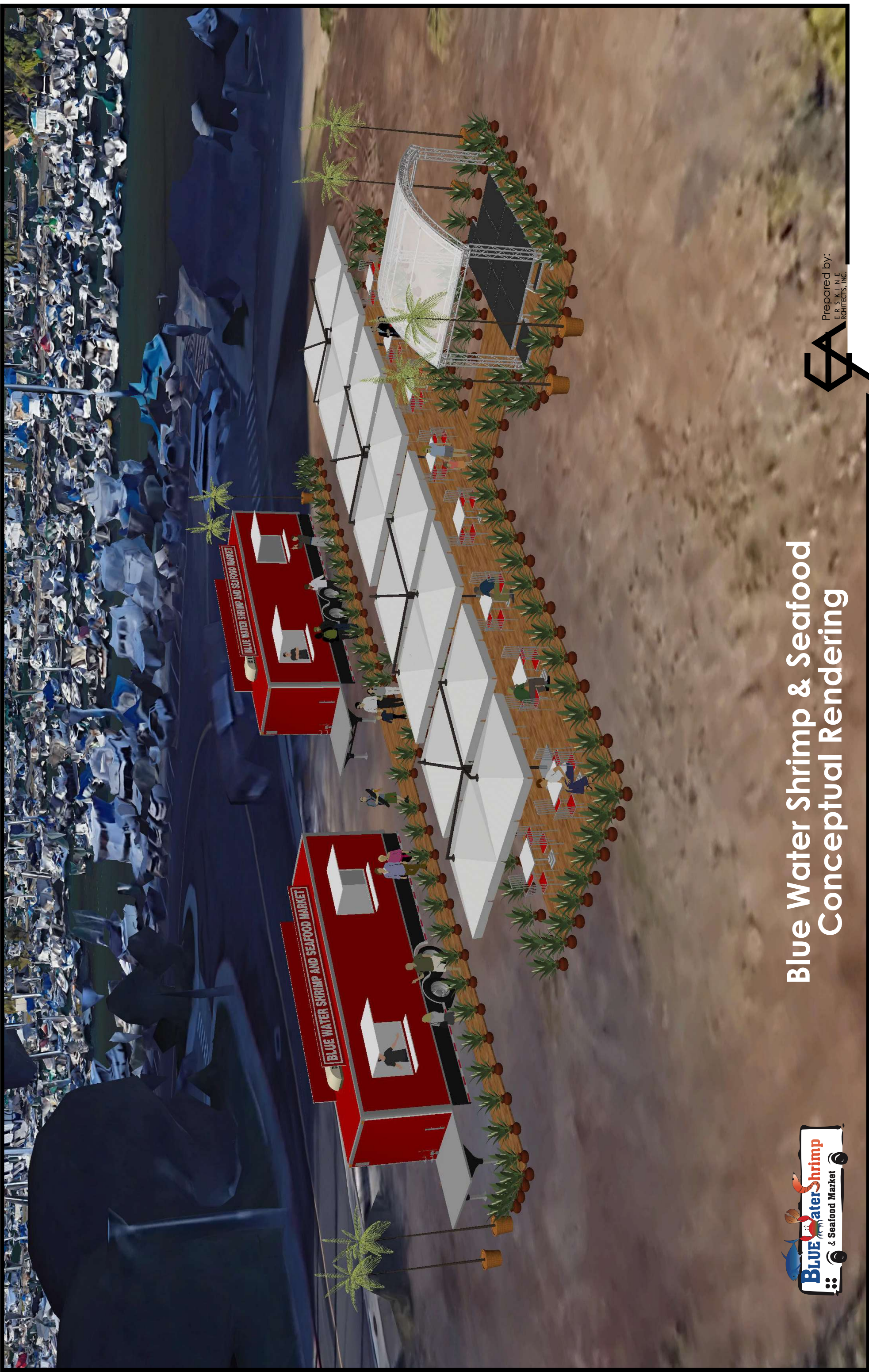
TMK: (1) 2-6-010:005

15' SETBACK

PRINCE WAIKIKI HOTEL

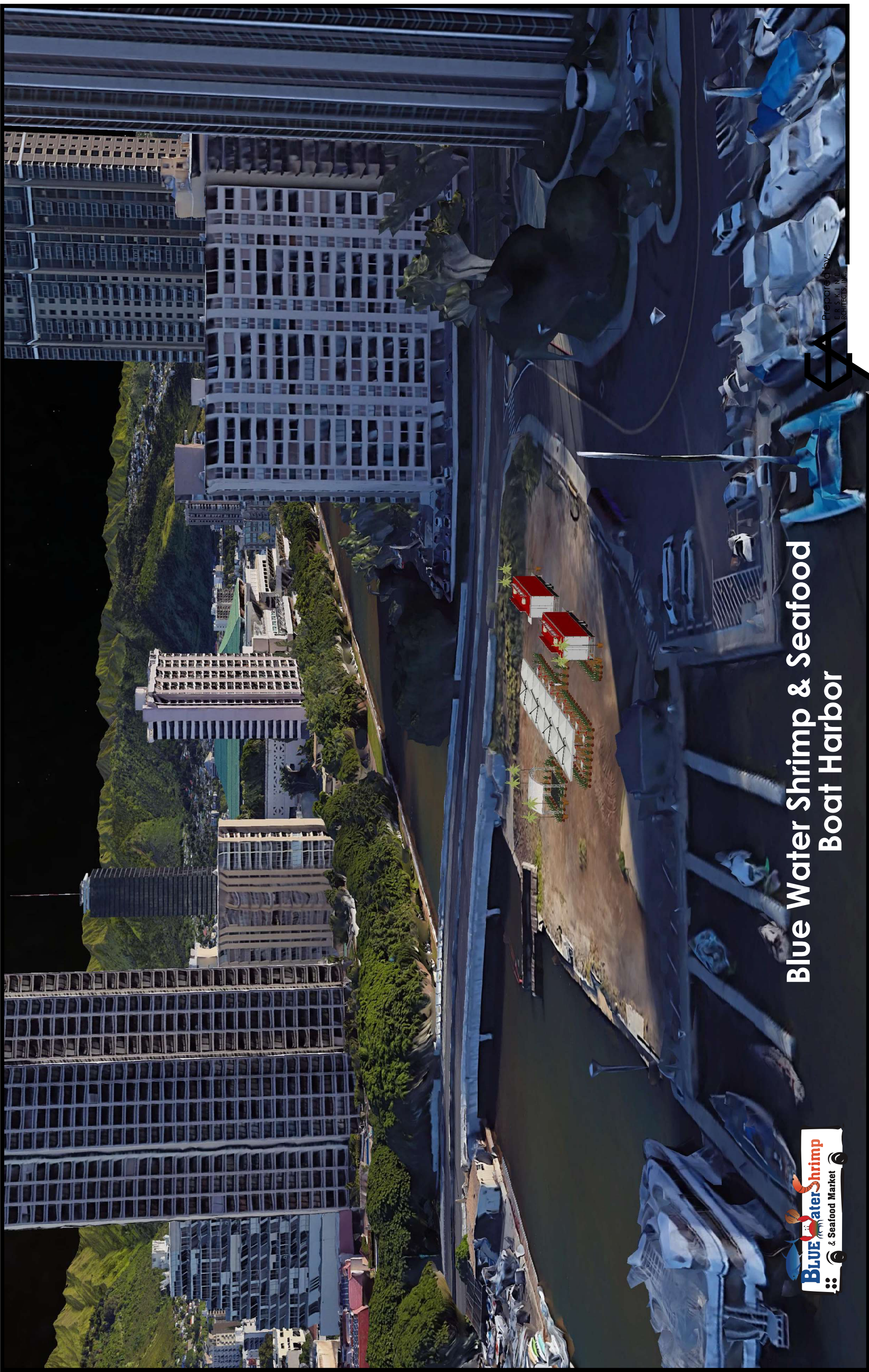
ALA MOANA BLVD

rth



# Blue Water Shrimp & Seafood Conceptual Rendering



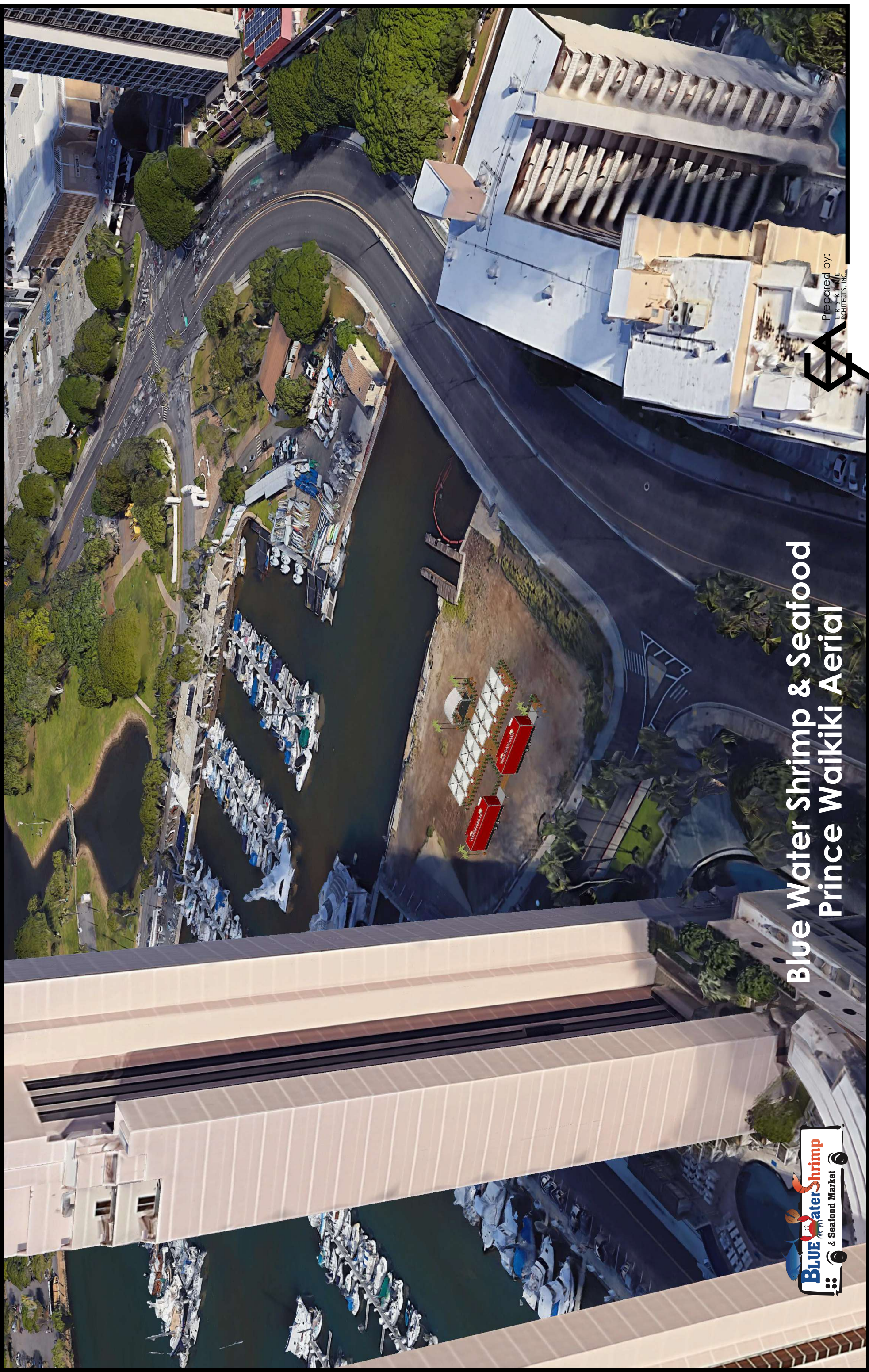


# Blue Water Shrimp & Seafood Boat Harbor



Prepared by:  
ER-SKI NE  
ARCHITECTS



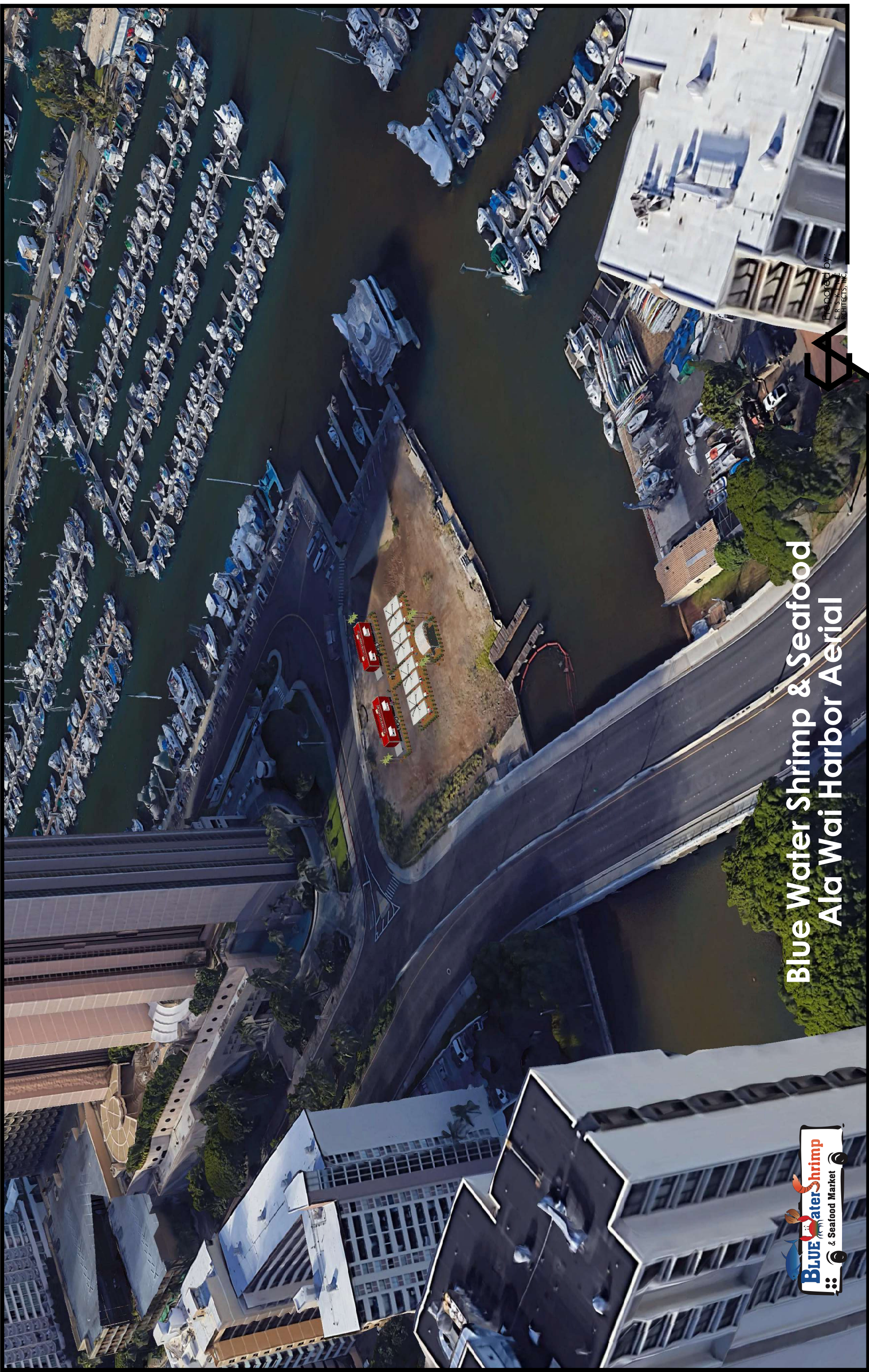


# Blue Water Shrimp & Seafood Prince Waikiki Aerial



Prepared by:  
E. R. S. K. HALL  
ARCHITECTS, INC.



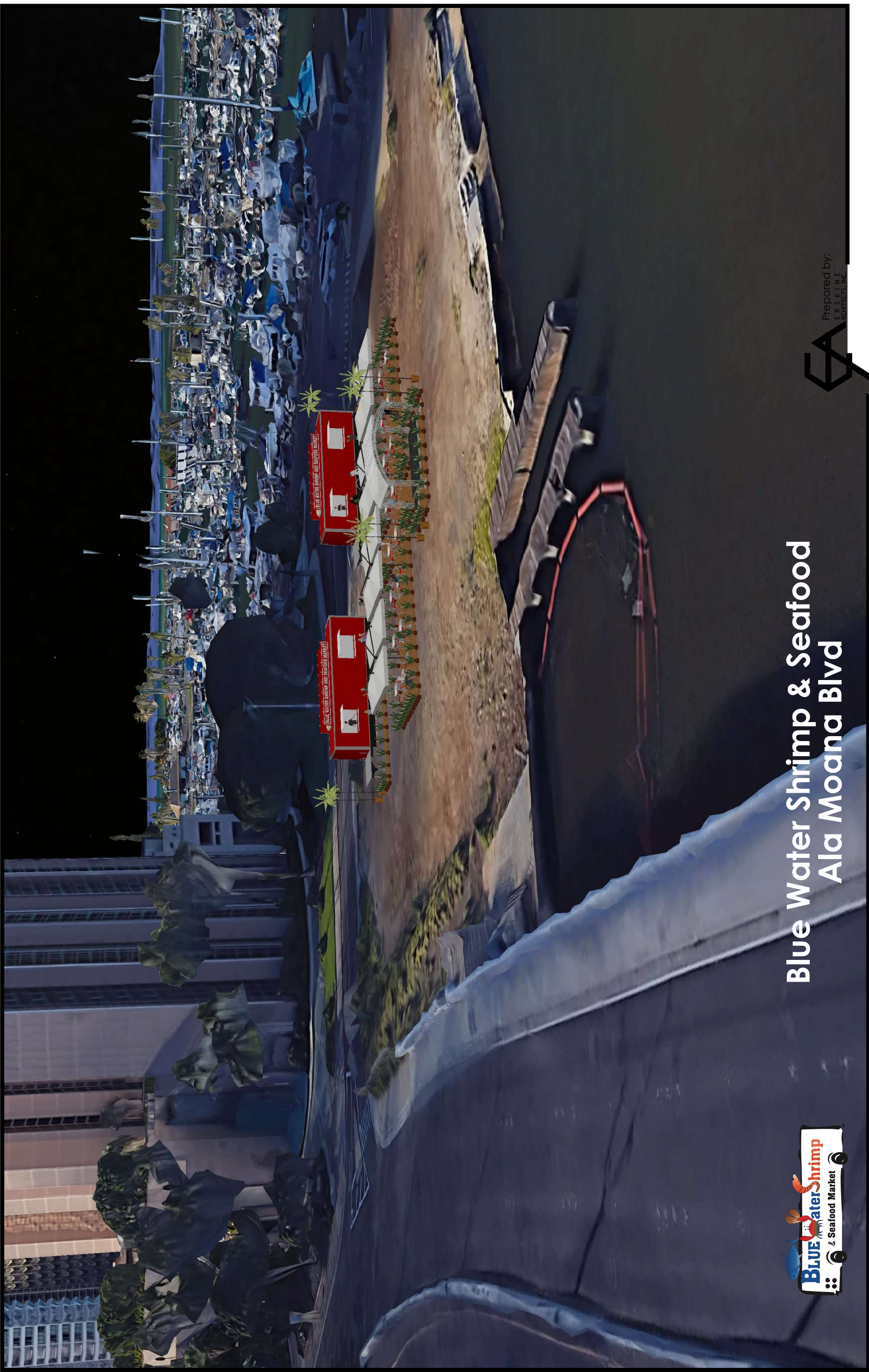


# Blue Water Shrimp & Seafood Ala Wai Harbor Aerial



Produced by  
E.R. SKIDMORE  
ARCHITECTS





# Blue Water Shrimp & Seafood Ala Moana Blvd



Prepared by:  
ER SKINE  
ARCHITECTS, INC.



DAVID Y. IGE  
GOVERNOR OF  
HAWAII



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BOARD OF LAND AND NATURAL RESOURCES  
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DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
HONOLULU, HAWAII 96813

Date: 11/5/2021  
DAR # 6239

MEMORANDUM

TO: Brian J. Neilson  
DAR Administrator

FROM: Bryan Ishida, Aquatic Biologist

SUBJECT: Environmental Review - Request for food service concession by the applicant  
Blue Water Shrimp International, LLC on vacant land at the Ala Wai Small  
Boat Harbor

Request Submitted by: Carl Young, Property Manager  
Ala Wai Small Boat Harbor, TMK: (1) 2-6-010:005 (Portion) and (1) 2-6-010:016 (Portion)

Location of Project: \_\_\_\_\_

Brief Description of Project:


The applicant had previously submitted an initial proposal (See DAR #6168) requesting the use of the vacant previous haul out facility located within the Ala Wai Small Boat Harbor area (corner of Holomoana St. and Ala Moana Blvd.) for hosting entertainment, food services, and merchandise sales. The revised proposal includes the following changes:

"The applicant is proposing food service from two (2) food trucks. The applicant proposes to enhance the food experience with "conversation friendly" Hawaiian music performed on a 10'x10' stage by duos and/or trios. Customers would have the option of take out or open seating at

Comments:

No Comments     Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved:  Date: Nov 8, 2021  
Brian J. Neilson  
DAR Administrator

DAR# 6239

Brief Description of Project

umbrella covered tables. The area would be landscaped with potted plants to enhance dining experience and to mitigate visual impact. The applicant is aware of noise sensitivity of the surrounding community of high rises, residents and boaters and the applicant would manage music volume and performing hours as needed.

Food would be prepared in off-site kitchens and served on site from trucks approved by the health department. The applicant shall not be allowed to sublet the space to other vendors.

Proposed hours of operation would be from 6:00 AM to 9:00 PM. Music would be recorded or live from 9:00 AM to 9:00 PM with most music occurring in the late afternoon to early evening.

Security would be provided for the permit area 24 hours a day, 7 days a week. The applicant has agreed to secure and clean the Mauka stairway access for pedestrian traffic to and from Ala Moana Blvd. The maintenance and management of this pedestrian access to AWSBH would be a benefit to the state and the public.

The restroom facilities Makai of the project area are currently being maintained and stocked by the Hawaii Prince Hotel Waikiki pursuant to Lease No. H-87-25. In anticipation of increased usage of the restroom facility, the applicant is proposing that they assume maintenance and stocking of the restroom facility during the term of the permit. Frequent vandalism of this restroom has been a challenge for the Hawaii Prince Hotel. Security and active presence in and around the public restrooms may help to curb unwanted activities.

The applicant has expressed a willingness to make adjustments (operating hours, music, layout, etc.) as needed. They understand that a revocable permit is short term in nature and that it can be revoked with 30-day's notice."

DAR# 6239

Comments

Potential impacts to the aquatic environment resulting from the proposed activities detailed in the applicant's first and second applications are virtually the same. Therefore, DAR's previously submitted comments still apply to this revised application.

DAVID Y. IGE  
GOVERNOR OF  
HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS



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DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
HONOLULU, HAWAII 96813

Date: 12/30/2020  
DAR # 6168

MEMORANDUM

TO: Brian J. Neilson  
DAR Administrator

FROM: Bryan Ishida, Aquatic Biologist

SUBJECT: Environmental Review - Use of vacant land at Ala Wai Small Boat Harbor for commercial entertainment purposes

Request Submitted by: Carl Young, Property Manager  
Ala Wai Small Boat Harbor, TMK: (1) 2-6-010:005 (Portion). Corner of Holomoana St. and Ala Moana Boulevard.  
Location of Project: Moana Boulevard.

Brief Description of Project:


The applicant (Blue Water Shrimp International, LLC) is seeking a new revocable permit to occupy and use vacant lands located at the Ala Wai Small Boat Harbor for the purpose of "Entertainment, Goods, and Food Service." Included in this request is a nonexclusive easement for pedestrian access to and from the site via Ala Moana Blvd at the Northwest corner of the location.

The site is a vacant, undeveloped lot formerly occupied by a haul out facility. Though containing some sparse vegetation and several concrete slabs, the lot is primarily flat uncovered ground composed of sand, gravel, and other loose materials. The property is bordered by Holomoana

Comments:

No Comments  Comments Attached

Thank you for providing DAR the opportunity to review and comment on the proposed project. Should there be any changes to the project plan, DAR requests the opportunity to review and comment on those changes.

Comments Approved:  Date: Jan 11, 2021  
Brian J. Neilson  
DAR Administrator

DAR# 6168

Brief Description of Project

Street to the South and Ala Moana Boulevard to the East. The West edge of the lot is bordered by small boat slips and the North edge is bordered by the Ala Wai Canal. The Ala Wai Canal is separated from the property by a concrete bulkhead and walkway.

The applicant intends to use 20,000 sq. ft. of the 35,000 sq. ft. property as an outdoor music, shopping, and dining venue. The site would host multiple vendors who would sublet space from the applicants. Food preparation will be performed in off-site kitchens, and distributed on-site from approved food trucks. Hours of operation would be 6 AM to 10 PM daily, with live and recorded music played between the hours of 9 AM and 9 PM. The applicants did not offer any plans, dimensions, or details regarding what structures would be erected on the property. However, the applicants did include an artists rendering (Exhibit B) depicting a large open-sided covering spanning a significant portion of the site.

The applicant would ensure security is provided at all times at the location. They would also maintain existing vegetation, clean and secure the pedestrian stairway access to the site via Ala Moana Blvd., and maintain and stock the adjacent restroom facility currently under the care of the Hawaii Prince Hotel.

Comments

Despite the Ala Wai watershed's reputation as being heavily-developed and urbanized, it does provide crucial estuary and freshwater habitat to a variety of indigenous and endemic aquatic species. In the lower tidally-influenced reaches (including waters fronting the proposed site), species like indigenous 'ama'ama (*Mugil cephalus*) and kaku (*Sphyraena barracuda*), as well as the endemic āholehole (*Kuhlia xenura*) are common. The Ala Wai Canal also acts as a corridor between the ocean and freshwater habitat including Pālolo and Mānoa streams. Upstream from the proposed site, several endemic species of 'o'opu can be found including 'o'opu akupa (*Eleotris sandwicensis*), 'o'opu nopili (*Sicyopterus stimpsoni*), 'o'opu nakea (*Awaous stamineus*), and 'o'opu naniha (*Stenogobius hawaiiensis*). In addition to 'o'opu, endemic shrimp species like 'ōpae kala'ole (*Atyoida bisulcata*) and 'ōpae 'oeha'a (*Macrobrachium grandimanus*) can be found in the mid and higher reaches of the Ala Wai watershed. While these endemic 'o'opu and 'ōpae aren't commonly found around the proposed site, their life cycles do rely on safe passage through the lower reaches of the watershed, including the canal and harbor areas.

The Ala Wai watershed is clearly impacted heavily by the effects urbanization, yet remains the home of many unique aquatic species with strong ecological and cultural importance. Because of this, the applicants should take into account the potential impacts on the aquatic environment that they're proposed activities may cause. To minimize negative impact on the nearby aquatic environment, the Division of Aquatic Resources (DAR) suggests that the following precautions are taken:

1. Ensure that emergency spill response equipment and protocols are in place prior to activity on the site. Make sure that all vendors and contractors are aware of procedures to follow in the event of a spill.
2. During both development of the site and eventual operation, ensure that precautions are taken to minimize the release of dirt and other fine material into the aquatic environment. This includes making sure all contractors have dust and sediment management procedures in place if necessary.
3. Ensure that all vendors, especially food service providers, know that the release of any by-product of their activities into the water or surrounding area is to be avoided at all times. This includes but is not limited to cooking oil, cleaning products, and grey water.
4. Ensure that food service providers have appropriate trash receptacles (closed top or trap door) to minimize trash from entering the ocean. Open topped receptacles can lead to properly

DAR# 6168

Comments

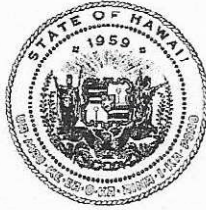
disposed trash being blown out and be transported to the ocean; where sea life may ingest the trash, and/or contribute to micro plastics in the ocean.

5. Require food service providers to remove their trash daily so that they do not attract feral cats to the location. Cats are known to host Toxoplasmosis, which is a disease that is fatal to critically endangered Hawaiian Monk Seals.

6. Conduct regular inspections of the area to ensure that the necessary precautions are taken to minimize impact on the aquatic environment. This includes regular inspections of vendor operations and activities to ensure that they are in compliance with protocols relating to environmental protection.

7. Contact DAR immediately if any unforeseen impacts on the aquarium environment occur as a result of activities performed on the

DAVID Y. IGE  
GOVERNOR OF  
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SUZANNE D. CASE  
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DEPUTY DIRECTOR - WATER

EDWARD R. UNDERWOOD  
ADMINISTRATOR  
BOATING AND OCEAN RECREATION

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF BOATING AND OCEAN RECREATION

4 SAND ISLAND ACCESS ROAD  
HONOLULU, HAWAII 96819

Request for Comments Transmittal Form

November 02, 2021

Ref. No.:

TO:

State Agencies:

- DOH-Health *FOOD SAFETY*
- DHHL-Haw'n Home Lands
- DLNR-DAR-Aquatic Resources
- DLNR-Forestry & Wildlife
- DLNR-SHPD-Historic Preservation
- DLNR-State Parks
- DLNR-OCCL-Conservation & Coastal Lands
- DLNR-Water Resource Management
- DLNR-LD-Land
- DOT-Transportation \_\_\_\_\_
- OHA-Office of Hawaiian Affairs

County Agencies:

- Planning & Permitting
- Parks & Recreation
- Public Works
- Water Department

Federal Agencies:

- Corps of Engineers
- NRCS

FROM: Carl Young, Property Manager  
SUBJECT: Request for Food Service Concession  
LOCATION: Ala Wai Small Boat Harbor, TMK: (1) 2-6-010:005 (Portion)  
APPLICANT: Blue Water Shrimp International, LLC

Transmitted for your review and comment is a copy of the above referenced request involving State lands. This applicant previously applied for a revocable permit with the intent of providing Entertainment, Goods and Food Concession. The current application is for food and conversation friendly music. Attached is the applicants request with prior agency comments and photo renditions, a revised board submittal with DOBOR's recommended location as shown in Exhibit A-1 thru A-3.

We would appreciate your comments on this application. Please submit any comments by November 15, 2021. If no response is received by this date, we will assume your agency has no comments. For questions, please call Ext. 71965, or E:carl.g.young@hawaii.gov. Thank you.

Attachments:

- We have no objections.
- We have no comments.
- Comments are attached.

Signed: Peter Oshiro

Date: Dec, 1, 2021

Name: Peter Oshiro

Title: Environmentla Health Program Manager, Food Safety Branch

EXHIBIT D

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
FOOD SAFETY BRANCH  
99-945 Halawa Valley St.  
AIEA, HI 96701

In reply, please refer to:  
File:

Dec 1, 2021

Carl Young, Property Manager  
DLNR  
4 Sand Island Access Rd.  
Honolulu, HI 96819

SUBJECT: Food Service Concession – Ala Wai Boat Harbor  
TMK (1) 2-6-10:005  
Blue Water Shrimp Int'l LLC.

Aloha Carl,

Mahalo for allowing us to comment on this proposal. We did receive the Request for Comment form from your office.

No concerns with the operation other than the fact that Blue Water Shrimp must secure DOH Food Establishments permits from us for any proposed food service operation. These are contingent on Bluewater complying with permit requirements that they are familiar with as they have worked with the DOH for many years now.

The plan indicates that Blue Water is to vend food from Lunch wagons. DOH has no concerns if the lunch-wagon already has a valid DOH permit. If this is a new lunch-wagon, then Blue Water will need to obtain DOH Food Establishment (FE) permits from us prior to any food sales through the normal application process.

From what is proposed, we have no issues other than ensuring that Blue Water has or will obtain the necessary FE permits from DOH prior to any food sales.

Mahalo for allowing us to comment

Peter Oshiro  
Env Health Program Manager  
Food Safety Branch

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

JADE T. BUTAY  
DIRECTOR


Deputy Directors  
DEREK J. CHOW  
ROSS M. HIGASHI  
EDWIN H. SNIFFEN

IN REPLY REFER TO:  
DIR 1056  
HWY-PS 2.6923

November 23, 2021

VIA EMAIL: [carl.g.young@hawaii.gov](mailto:carl.g.young@hawaii.gov)

TO: CARL G. YOUNG  
DIVISION OF BOATING AND OCEAN RECREATION  
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: JADE T. BUTAY   
DIRECTOR OF TRANSPORTATION

SUBJECT: BLUE WATER SHRIMP INTERNATIONAL AT ALA WAI SMALL BOAT  
HARBOR, HONOLULU, HAWAII  
REQUEST FOR FOOD SERVICE CONCESSION WITH DEPARTMENT OF  
LAND AND NATURAL RESOURCES  
TAX MAP KEY (1) 2-6-010: 005 (POR.) AND 016 (POR.)

Thank you for your letter dated November 2, 2021. The Blue Water Shrimp International proposes to place 2 food trucks with open seating at umbrella covered tables, a 10'x10' stage, and landscaping on a 9,000 square foot space. The food trucks would be open from 9:00 a.m. to 9:00 p.m. daily. The parcels are located just east of the Ala Wai Canal and south of Ala Moana Boulevard with access off Holomoana Street.

The Hawaii Department of Transportation (HDOT) Highways Division has reviewed the request and have the following comments:

1. The letter addressed to the application and Land Board Members shows a third tax map key (1) 2-6-010:003 (por.) in the location. This tax map key is not shown on any of the plan views in Exhibits A-1, A-2 and A-3. Please clarify.
2. The area noted for Blue Water Shrimp International in the aerial view shown on Exhibit A-2 is not the same area as shown in the Area on Parcel in Exhibit A-3. Please correct the location shown in Exhibit A-2.
3. Correct street name on Exhibit A-3 and Conceptual Design Layout from Holomana Street to Holomoana Street.

**EXHIBIT E**

4. A Traffic Impact Assessment Report (TIAR) shall be prepared by a licensed engineer. The study area should include intersections potentially affected by the project including the Ala Moana Boulevard and Holomoana Street intersection and the access to the parcels off Holomoana Street. The TIAR should include:
  - a. Description of existing trip generation at the site, existing traffic conditions and multimodal routes in the study area.
  - b. Forecasted traffic and multimodal conditions in the horizon year (year at full project build-out) without the project and with the project.
  - c. Analysis of existing and future safety conditions.
  - d. Location of existing and future parking for the site.
5. The TIAR should include a discussion of any direct, indirect and cumulative traffic impacts generated by the project as well as other nearby developments on the State Highway and propose mitigation, as needed.
6. In accordance with the HDOT guidelines, the Applicant shall mitigate all transportation impacts due to the project to maintain the operating Level of Service (LOS) and delay level conditions at the “without project condition” for all horizon years. In addition, should the LOS without the project be lower than the desirable HDOT threshold of LOS D, the applicant may be required to provide mitigation improvements to improve the State facilities to LOS D or better with the project condition.

If you have any questions, please contact Jeyan Thirugnanam, Systems Planning Engineer, Highways Division, Planning Branch at (808) 587-6336 or by email at [jeyan.thirugnanam@hawaii.gov](mailto:jeyan.thirugnanam@hawaii.gov). Please reference file review number PS 2021-195.

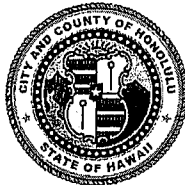
# EXHIBIT F

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

FILE

RICK BLANGIARDI  
MAYOR



DEAN UCHIDA  
DIRECTOR

DAWN TAKEUCHI APUNA  
DEPUTY DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

November 29, 2021

2021/ELOG-2434(JY)

Mr. Edward Underwood, Administrator  
C/O Mr. Carl Young  
State of Hawaii  
Department of Land and Natural Resources  
Division of Boating and Ocean Recreation  
4 Sand Island Access Road  
Honolulu, Hawaii 96819

Dear Mr. Underwood:

**SUBJECT:** Request for Comments  
Issuance of a New Revocable Permit for  
Blue Water Shrimp International, LLC  
Ala Wai Small Boat Harbor  
1651 Ala Moana Boulevard - Waikiki  
Tax Map Key 2-6-010: 005 (portion)

This is in response to your request for comments, received November 16, 2021, regarding an application for a revocable permit by Blue Water Shrimp International, LLC for a proposed entertainment and food concession (Project) at the Ala Wai Small Boat Harbor. The Project site is within the Special Management Area and the Public Precinct of the Waikiki Special District

Although the proposal has been scaled down to two food trucks, an outdoor dining area, and small entertainment stage, the comments contained in our December 30, 2020 letter are still applicable; we do not have any further comments regarding the Project. We have attached a copy of the letter for your reference.

**EXHIBIT F**

Mr. Edward Underwood, Administrator  
November 29, 2021  
Page 2

Should you have any further questions on this matter, please contact Joette Yago, of our Urban Design Branch, at 768-8034, or [jyago@honolulu.gov](mailto:jyago@honolulu.gov).

Very truly yours,

  
for Dean Uchida  
Director

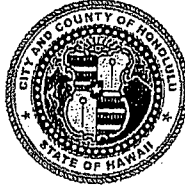
Enclosure: December 30, 2020 letter

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
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*File*

KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

December 30, 2020

2020/ELOG-2427(JY)

Mr. Edward Underwood, Administrator  
State of Hawaii  
Department of Land and Natural Resources  
Division of Boating and Ocean Recreation  
4 Sand Island Access Road  
Honolulu, Hawaii 96819

Dear Mr. Underwood:

SUBJECT: Request for Comments  
Issuance of a New Revocable Permit for  
Blue Water Shrimp International, LLC  
Ala Wai Small Boat Harbor  
1651 Ala Moana Boulevard - Waikiki  
Tax Map Key 2-6-010: 005 (portion)

This is in response to your request for comments, received December 7, 2020, regarding an application for a revocable permit by Blue Water Shrimp International, LLC (Applicant) for a proposed entertainment, goods, and food concession (Project) at the Ala Wai Small Boat Harbor. The Project site is within the Special Management Area (SMA) and the Public Precinct of the Waikiki Special District (WSD).

It is our understanding that the Department of Land and Natural Resources (DLNR) Division of Boating and Ocean Recreation (DOBOR) is processing an application for a new revocable permit to lease land to the Applicant for the Project. The proposed hours of operation will be from 6:00 a.m. to 10:00 p.m. with recorded and live music from 9:00 a.m. to 9:00 p.m., presumably seven days-a-week.

The DOBOR has determined that the Project is exempt from the preparation of an Environmental Assessment pursuant to Exemption Class No. 1, Part 1, Item No. 46 of the Exemption List for the DLNR reviewed and concurred upon by the Environmental Council (November 10, 2020).

The Department of Planning and Permitting (DPP) has the following comments and concerns:

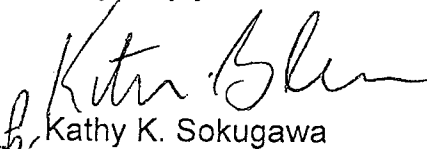
1. The proposed use of the site is not consistent with the allowable uses for the Public Precinct which primarily allows public uses and structures. Eating and retail establishments are not permitted in the Public Precinct; therefore, a Zoning Variance is required for the proposed use.  
  
*“Public uses and structures conducted by, or structures owned, or managed by the Federal Government, the State of Hawaii, or the City to fulfill a governmental function, activity or service for public benefit and in accordance with public policy.”* is defined in the Land Use Ordinance. The retail and eating establishments will be owned and operated by private business entities, therefore, the uses are not public uses and structures.
2. The Project site is in the SMA and is subject to the regulations of Revised Ordinances of Honolulu Chapter 25. An SMA permit is required for the Project. If the cost of improvements exceed \$500,000, a SMA Use Permit is required; and an Environmental Assessment must be prepared.
3. Any new structure within the WSD requires a Major Special District Permit (SDP). A Major SDP requires a public hearing as well as review by the Mayor's Design Advisory Committee.
4. The Project site is a major gateway to the WSD and therefore should create a sense of arrival into Waikiki. Development at this site should incorporate landscaped open spaces and architectural features that promote a Hawaiian sense of place. As depicted in the rendering, large white tents with incandescent lighting does not constitute as a sense of arrival to Hawaii's premier visitor destination.
5. The Project site is within the Special Flood Hazard District AE with a base flood elevation of nine feet above sea level, the tsunami evacuation zone, and the 3.2-foot sea level rise exposure area, where there will be passive flooding and annual high wave flooding.
6. There may be environmental impacts from the proposed use. The Applicant should describe their procedures for solid and liquid waste disposal, as well as compliance with stormwater regulations. Additionally, more restroom facilities would likely be required. The Applicant should be required to address these issues prior to the issuance of the new revocable permit by the Board of Land and Natural Resources.

7. The visual impact of the development should be considered. According to the Coastal View Study, the site is located along a roadway (Ala Moana Boulevard) with continuous coastal views towards the ocean. Additionally, the site is within the significant stationary mauka view from the State Magic Island Park.
8. The commercial use of the near shoreline area intended for public uses may impact the surrounding community. The proposal should be presented to the affected Neighborhood Board(s) for their comment prior to the issuance of the revocable permit.

In conclusion, the DPP has concerns regarding the commercialization of shoreline and near-shoreline areas, and its impacts to the coastal environment, views, and resources. This may set a precedence for similar ventures along the sensitive shoreline areas intended for public use. Additionally, the environmental impacts to the surrounding waterways should be fully addressed. The Applicant should provide adequate measures for liquid and solid waste disposal, including permanent restroom facilities, prior to the issuance of a revocable permit.

Should you have any further questions on this matter, please contact Joette Yago, of our Urban Design Branch, at 768-8034, or [jyago@honolulu.gov](mailto:jyago@honolulu.gov).

Very truly yours,

  
Kathy K. Sokugawa  
Acting Director

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
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KIRK CALDWELL  
MAYOR



KATHY K. SOKUGAWA  
ACTING DIRECTOR

EUGENE H. TAKAHASHI  
DEPUTY DIRECTOR

December 30, 2020

2020/ELOG-2427(JY)

Mr. Edward Underwood, Administrator  
State of Hawaii  
Department of Land and Natural Resources  
Division of Boating and Ocean Recreation  
4 Sand Island Access Road  
Honolulu, Hawaii 96819

Dear Mr. Underwood:

**SUBJECT:** Request for Comments  
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In conclusion, the DPP has concerns regarding the commercialization of shoreline and near-shoreline areas, and its impacts to the coastal environment, views, and resources. This may set a precedence for similar ventures along the sensitive shoreline areas intended for public use. Additionally, the environmental impacts to the surrounding waterways should be fully addressed. The Applicant should provide adequate measures for liquid and solid waste disposal, including permanent restroom facilities, prior to the issuance of a revocable permit.

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Very truly yours,

  
Kathy K. Sokugawa  
Acting Director