

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

August 12, 2010

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

PSF No.: 10od-111

OAHU

Issuance of Revocable Permit to Hilton Hawaiian Village for Portion of Performance Stage at Duke Kahanamoku Beach, Honolulu, Oahu; TMK (1) 2-3-037:portion of 021.

APPLICANT:

Hilton Hawaiian Village whose business address is 2005 Kalia Road, Honolulu, Hawaii 96815-1999

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands at Duke Kahanamoku Beach, Honolulu, Oahu, identified by Tax Map Key: (1) 2-3-37:portion of 21, as shown on the attached map labeled Exhibit A.

AREA:

6,000 square feet, more or less.

ZONING:

State Land Use District: Conservation
City and County of Honolulu LUO: Resort Mixed Use 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:

The requested area is vacant and unencumbered.

CHARACTER OF USE:

Setting up a secure back of stage area purposes.

TERM:

From 7:00 am on September 3, 2010 to 11:00 pm on September 4, 2010.

RENTAL:

\$1,200 (one time payment)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1) and (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 explained in Exhibit B.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO	_____
Registered business name confirmed:	YES	<u>X</u>	NO	_____
Applicant in good standing confirmed:	YES	<u>X</u>	NO	_____

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001, (D-4), right-of-entry permits were issued for beach activities in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in the form of a revocable permit.

Applicant will hold a concert on the hotel grounds on September 3 and 4, 2010, and plans to use the subject State land as a secure back of stage area, with memento and food tent. Applicant will have personnel manning the barricade but will allow the public to pass through with an escort.

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 agencies. There are no other pertinent issues and concerns. Staff does not have any objections to the request.

RECOMMENDATION: That the Board authorize the issuance of a revocable permit to Hilton Hawaiian Village covering the subject area for the purpose of setting up a secure back of stage area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

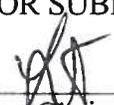
1. The standard terms and conditions of the most current revocable permit for, as may be amended from time to time;
2. Review and approval by the Department of the Attorney General; and
3. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Barry Cheung
District Land Agent

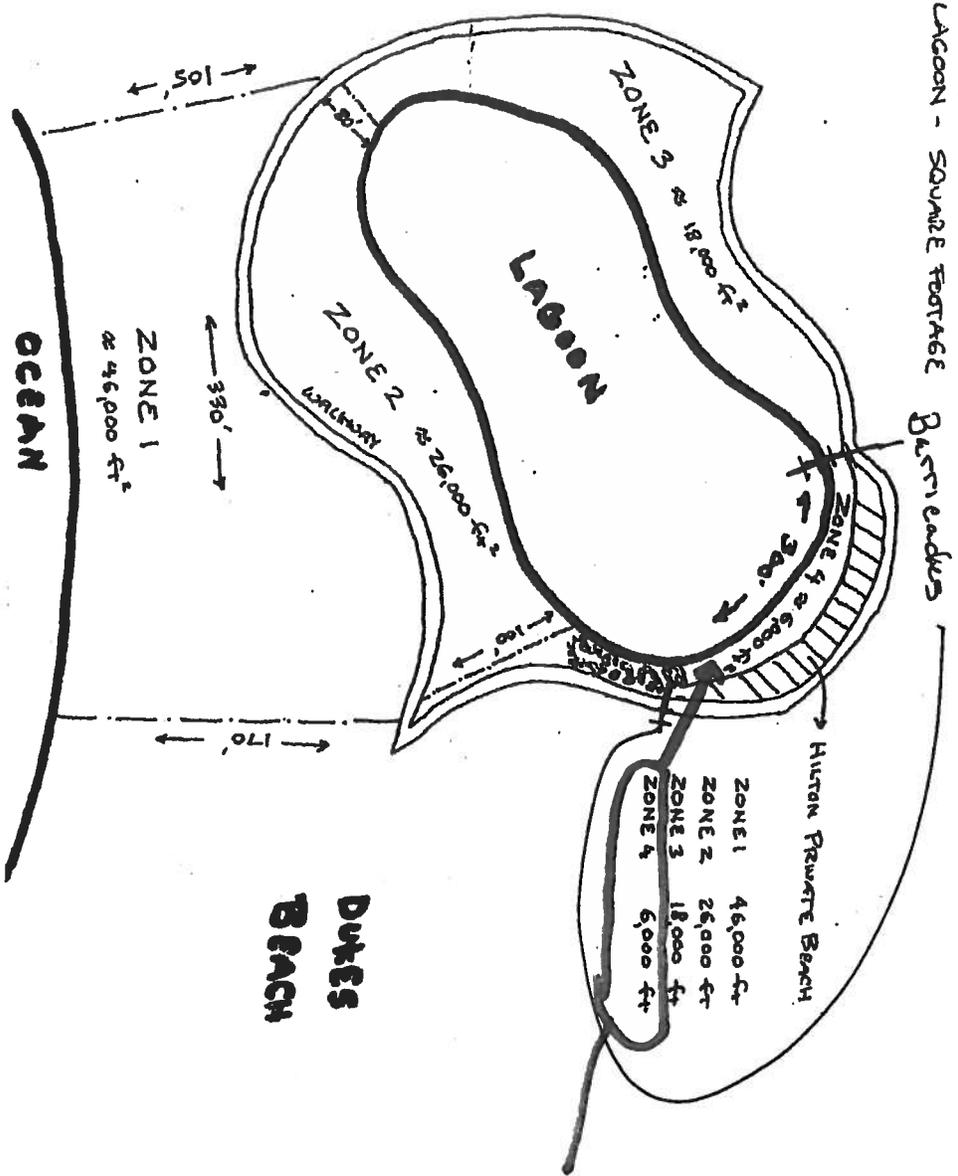
APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



DUKES LAGOON - SQUARE FOOTAGE



**DUKES
BEACH**

Subject Location



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

August 12, 2010

EXEMPTION NOTIFICATION

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

Project Title: Issuance of Revocable Permit for Secure Back of Stage Area

Project / Reference No.: PSF 100D-111

Project Location: Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-37: portions of 21.

Project Description: Secure back of stage area for concert to be held on hotel property.

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 Lands

EXHIBIT B

Issuance of Revocable Permit
for Beach Activities Purpose

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Recommendation:

It is anticipated 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.

Laura H. Thielen
Chairperson

Date